

Article 2

**STATE OF THE TOWN
ADDRESS**

To hear the Chair of the Select Board review important events in the past year in Arlington and preview expectations for the year.

Inserted at the request of
Envision Arlington

Article 3

**REPORTS OF
COMMITTEES**

To receive, hear, and act upon the reports of the Select Board, Finance Committee, Redevelopment Board, School Committee and other committees, commissions, and boards heretofore appointed, or dissolve any inactive committees; and take any action related thereto.

Inserted at the request of the
Town Moderator

Article 4

**APPOINTMENT OF
MEASURER OF WOOD**

AND BARK

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such manner as the Town may determine; or take any action related thereto.

Inserted by the Select Board

Article 5

ELECTION OF ASSISTANT TOWN MODERATOR

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11.A, of the Bylaws; or take any action related thereto.

Inserted at the request of the
Town Moderator

Article 6

BYLAW AMENDMENT / TOWN MEETING PROCEDURAL RULES

To see if the Town will vote to amend Title I Article 1 Section 10(C) of the Town Bylaws to permit voice votes as "yes and no" or "yea and nay" at the discretion of the

Moderator; or take any action related thereto.

Inserted at the request of the
Town Meeting Procedures
Committee

Article 7

BYLAW AMENDMENT / ENERGY EFFICIENCY AND ELECTRIFICATION REVOLVING FUND

To see if the Town will vote to amend Title 1, Article 22 of the Town Bylaws by adding a new section to establish and authorize a revolving fund to utilize monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 8

BYLAW AMENDMENT /

CANINE CONTROL

To see if the Town will vote to amend Title 1, Article 22 of the Town Bylaws by adding a new section to establish and authorize a revolving fund to utilize monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 9

BYLAW AMENDMENT / OBSERVANCE OF TOWN EMPLOYEE HOLIDAYS

To see if the Town will vote to amend Title I, Article 6, Section 16 of the Town's Bylaws to define and clarify the observance of employee holidays, including, but not limited to, when holidays fall upon a weekend day; or take any action related

thereto.

Inserted at the request of the
Director of Human Resources

Article 10

BYLAW AMENDMENT / POET LAUREATE OF ARLINGTON

To see if the Town will vote to amend Title II, Article 11 of the Town Bylaws to: (1) change its selection criteria so that it is not required that a person be a resident of Arlington to be considered for appointment as Poet Laureate and if appointed, need not remain an Arlington resident during their term as Poet Laureate; and (2) formally establish that screening committee also provides the necessary support to the selected Poet Laureate at the beginning and throughout their term; or take any action related thereto.

Inserted at the request of Poet
Laureate Screening Committee

Article 11

BYLAW AMENDMENT / ARLINGTON

HISTORICAL COMMISSION INVENTORY

To see if the Town will vote to amend Title VI, Article 6 of the Town Bylaws to create a process for homeowners to remove their home from the Town's Historic Structures Inventory; or take any action related thereto.

Inserted at the request of Lois Kaznicki and ten registered voters

Article 12

BYLAW AMENDMENT / EXPANDING TOWN COMMITTEE MEMBERSHIP ELIGIBILITY TO ALL RESIDENTS

To see if the Town will vote to amend Title I, Article I, Section 9(B) (4) of the Town Bylaws to revise the eligibility requirements for town committees and commissions in the bylaws to include all town residents, regardless of voter status or age; or take

any action related thereto.

Inserted at the request of Joshua Solomon and ten registered voters

Article 13

**HOME RULE
LEGISLATION /
ARLINGTON
REDEVELOPMENT
BOARD AS THE TOWN
OF ARLINGTON
BOARD OF SURVEY**

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to update the Town Manager Act to reflect the Arlington Redevelopment Board as the Board of Survey as established pursuant to Chapter 42 of the Acts of 2009; or take any action related thereto.

Inserted at the request of the Arlington Redevelopment Board

Article 14

**HOME RULE
LEGISLATION / REAL**

ESTATE TRANSFER

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation or other Special Legislation which would permit the Town to impose a real estate transfer fee or tax for the purposes of acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town; said fee or tax to be levied on the buyer, seller, or both on the purchase price of qualifying real estate, the proceeds of which are to be deposited in an Arlington Affordable Housing Trust Fund established pursuant to Section 55C of Chapter 44 of the General Laws; to set forth the rate, the qualifications for applicable transfers, and exemptions of and to such a tax or fee; and to authorize the procedures and requirements necessary for the collection of such fee; or take any action related thereto.

Inserted at the request of the
Director of Planning and
Community Development

HOME RULE LEGISLATION / TO AMEND THE SENIOR CITIZEN PROPERTY TAX EXEMPTION

To see if the Town will vote to authorize and request the Select Board to request the Legislation or Senate and House of Representatives in General Court or other Special Legislation to amend Chapter 285 of the Acts of 2020 “An Act Authorizing the Town of Arlington To Establish A Means Tested Senior Citizen Property Tax Exemption” by inserting the following language at the end of Section 3“; or funded by an appropriation or transfer from existing funds while not exceeding 1 per cent of the municipality’s tax levy.”; or take any action related thereto.

Inserted at the request of the
Board of Assessors

HOME RULE LEGISLATION / PACKAGE STORE

LICENSES

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation which would permit the placing on the 2026 Annual Town Election ballot a question to authorize the Select Board to increase the current number of all-alcohol “package store” licenses (all-alcohol beverages for consumption off the premises) from the current number of 6; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 17

HOME RULE LEGISLATION / RODENTICIDE

To see if the Town will vote to authorize the Select Board to re-file Home Rule Legislation to regulate and/or ban the use of Second Generation Anticoagulant Rodenticides by pesticide applicators within the Town of Arlington; or take any action related thereto.

Inserted at the request of Elaine

Crowder and ten registered voters

Article 18

**HOME RULE
LEGISLATION /
RANKED CHOICE
VOTING**

To see if the Town will vote to authorize the Select Board to file Home Rule Legislation to elect Town offices by Ranked Choice Voting; or take any action related thereto.

Inserted at the request of Greg
Dennis and ten registered voters

Article 19

**HOME RULE
LEGISLATION /
WILLIAM PILLERI**

To see if the Town will vote to request and authorize the Select Board to file Home Rule Legislation so as to enable William Pilleri, a resident of the Town, to be eligible for appointment as a firefighter in the Town of Arlington notwithstanding the fact that he has attained the age of 32; or take any action related thereto.

Inserted at the request of William

Pilleri and ten registered voters

Article 20

**ACCEPTANCE OF
LEGISLATION /
CLAUSE 22I of M.G.L.
Chapter 59, §5**

To see if the Town of Arlington will accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 22I, as created by Chapter 178 of the Acts of 2024, commonly referred to as the "HERO Act", which authorizes an annual increase in the amount of the exemption to veterans granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025; or take any action related thereto.

Inserted at the request of the

Town Manager and Veterans'
Service Director

Article 21

**ACCEPTANCE OF
LEGISLATION /
CHAPTER 399 OF THE
ACTS OF 2024**

To see if the Town will vote to accept the provisions of Chapter 399 of the Acts of 2024, or any other applicable laws, to permit the installation, operation, and maintenance of school bus violation detection monitoring systems on school buses; or take any action related thereto.

Inserted at the request of the
School Committee

Article 22

**ENDORSEMENT OF
CDBG APPLICATION**

To see if the Town will vote to endorse the application for Federal Fiscal Year 2026 prepared by the Town Manager and Select Board under the Housing and Community Development Act of 1974 (PL 93-383) as amended; or take any action related thereto.

Inserted by the Select Board and
at the request of the Town
Manager

Article 23

REVOLVING FUNDS

To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds, to appropriate sums of money to fund all revolving funds and determine how the money shall be raised or expended; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 24

**REVOLVING FUND / 17
IRVING STREET**

To see if the Town will vote to establish a revolving fund under MGL Ch. 40, sec.3, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds, to

appropriate sums of money to fund same revolving fund and determine how the money shall be raised or expended; or take any action related thereto.

Inserted at the request of the Town Manager

Article 25

**ZONING BYLAW
AMENDMENT /
ACCESSORY
DWELLING UNITS**

To see if the Town will vote to amend Section 2: Definitions, Section 5.4.2.B.(6) Large Additions, Section 5.4.2.B.(7) Garages, Section 5.10.2 Accessory Dwelling Units, and Section 6.1.4 Parking, of the Zoning Bylaw, to revise the requirements for permitting accessory dwelling units as-of-right or by special permit; or take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 26

**ZONING BYLAW
AMENDMENT /
TRANSPORTATION**

DEMAND MANAGEMENT PLAN

To see if the Town will vote to amend Section 6.1.5 Parking Reductions in Business, Industrial, and Multi-Family Residential Zones, of the Zoning Bylaw, to adjust the requirements for Transportation Demand Management plans and methods; or take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 27

ZONING BYLAW AMENDMENT / DELETE INLAND WETLAND OVERLAY DISTRICT

To see if the Town will vote to delete Sections 4.1.2(2) and 5.8, Inland Wetland District, of the Zoning Bylaw, and adjust the numbering of subsequent sections; or take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 28

**ZONING BYLAW
AMENDMENT /
DEFINITION OF LOT
COVERAGE**

To see if the Town will vote to amend
Section 2: Definitions, of the Zoning Bylaw,
to add a new definition, Lot Coverage; or
take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 29

**ZONING BYLAW
AMENDMENT /
PARKING IN
RESIDENTIAL
DISTRICTS**

To see if the Town will vote to amend
Section 6.1.10.A of the Zoning Bylaw, to
amend and clarify standards for the location
of parking in Residential districts; or take
any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 30

**ZONING BYLAW
AMENDMENT /
SCREENING AND
BUFFER
REQUIREMENTS**

To see if the Town will vote to remove duplicate material by combining Section 5.3.7 and 5.3.21 of the Zoning Bylaw into Section 5.3.7 and thus deleting Section 5.3.21, revise Section 5.3.7 for clarity, move a subsection to Section 5.3.13, and amend a reference in Section 5.6.2; or take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 31

**ZONING BYLAW
AMENDMENT /
REDEVELOPMENT
BOARD JURISDICTION**

To see if the Town will vote to amend Section 3.4.2 of the Zoning Bylaw, to revise the special permit and environmental design review applicability for certain properties abutting the Minuteman Bikeway;

or take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 32

**ZONING BYLAW
AMENDMENT /
REZONE B1 PARCELS**

To see if the Town will vote to amend
Section 5.5 Business Districts, of the
Zoning Bylaw, to rezone certain parcels in
the B1 Neighborhood Office Business
District to B2A Major Business District; or
take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 33

**ZONING BYLAW
AMENDMENT / ZONING
MAP ADOPTION FOR
B1 REZONING**

To see if the Town will vote to adopt
changes to the Zoning Map that would
rezone certain parcels in the B1
Neighborhood Office Business District to

B2A Major Business District; or take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 34

**ZONING BYLAW
AMENDMENT /
ADMINISTRATIVE
CORRECTION**

To see if the Town will vote to amend Section 4.2 of the Zoning Bylaw, to reflect changes to the Zoning Map adopted by previous Town Meeting action; or take any action related thereto.

Inserted at the request of the
Redevelopment Board

Article 35

**ZONING BYLAW
AMENDMENT / ZONING
MAP ADOPTION FOR
ADMINISTRATIVE
CORRECTION**

To see if the Town will vote to adopt changes to the Zoning Map, as amended by previous Town Meeting action; or take any

action related thereto.
Inserted at the request of the
Redevelopment Board

Article 36

**ZONING BYLAW
AMENDMENT / NO NET
LOSS OF
COMMERCIAL SPACE
FOR LOCAL BUSINESS**

To see if the Town will vote to amend the Zoning Bylaw in Section 5.5.2.B, to set a required minimum floor area percentage for permitted non-residential principal uses in mixed use developments; or take any action related thereto.

Inserted at the request of Kristin
Anderson and 10 registered
voters

Article 37

**ZONING BYLAW
AMENDMENT / MULTI-
FAMILY PARKING
REDUCTION**

To see if the Town will vote to amend Section 6 of the Zoning Bylaw to provide additional options for reducing parking

requirements in multi-family residential developments and add a definition and standards for cargo bicycle parking; or take any action related thereto.

Inserted at the request of Vincent Baudoin and 10 registered voters

Article 38

ZONING BYLAW AMENDMENT / USE REGULATIONS FOR RESIDENTIAL DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw Section 2 Definitions and Section 5 District Regulations to allow additional business uses in residential districts; or take any action related thereto.

Inserted at the request of Andrew S. Greenspon and 10 registered voters

Article 39

ZONING BYLAW AMENDMENT / 17 PALMER STREET TO

THE MBTA NEIGHBORHOOD DISTRICT

To see if the Town will vote to add the Address of 17 Palmer St., zoned R2 Residential Two-Family, to the Neighborhood Multi-Family (NMF) Housing Overlay District; or take any action related thereto.

Inserted at the request of John E. Heraty and 10 registered voters

Article 40

ZONING BYLAW AMENDMENT / TWO- FAMILY CONSTRUCTION ALLOWED BY RIGHT IN R0 AND R1 RESIDENTIAL ZONES

To see if the Town will vote to amend Section 5.4 of the Zoning Bylaw by amending definitions and expanding allowable residential uses in R0 Large Lot Single-Family District and R1 Single-Family District; or take any action related

thereto. Inserted at the request of David
Levy and 10 registered voters

Article 41

**ZONING BYLAW
AMENDMENT /
AFFORDABLE
HOUSING OVERLAY
DISTRICT**

To see if the Town will vote to amend its Zoning Bylaw to create an Affordable Housing Overlay District so that housing meeting certain requirements with respect to affordability may be constructed as of right (including, without limitation, amendments to Sections 2 and 5 of the Zoning Bylaw to adopt such Affordable Housing Overlay District and amendments to Sections 4.1.2 and 4.2 of the Zoning Bylaw to add reference to such Affordable Housing Overlay District}; or take any action related thereto.

Inserted at the request of Sanjay
Newton and 10 registered voters

Article 42

**ZONING BYLAW
AMENDMENT /
AMENDMENT OF
ZONING MAP TO
INCLUDE
AFFORDABLE
HOUSING OVERLAY
DISTRICT**

To see if the Town will vote to amend its Zoning Map to include and reflect an Affordable Housing Overlay District, if such a District is approved by the Town at its 2025 Annual Town Meeting; or take any action related thereto.

Inserted at the request of Sanjay Newton and 10 registered voters

Article 43

**ZONING BYLAW
AMENDMENT / PUBLIC
SHADE TREES**

To see if the Town will vote to amend Section 6.3.4 of the Zoning Bylaw, which requires developers to plant a street tree every 25' in front of the property, to add provisions to increase the likelihood of

survival of trees by requiring Tree Warden approval of chosen trees, more specific maintenance requirements, regular reports to DPCD on the health of trees planted, and planting on the private property if there is no suitable place in the public way (except for exceptional circumstances); or take any action related thereto.

Inserted at the request of Susan Stamps and 10 registered voters

Article 44

ZONING BYLAW AMENDMENT / AFFORDABLE HOUSING OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to establish an affordable housing overlay district to allow multi-family affordable housing as-of-right in any district except Industrial or Open Space; or take any action related thereto.

Inserted at the request of John L. Worden III and 10 registered voters

Article 45

**APPROPRIATION / PEG
ACCESS BUDGET**

To see if the Town will vote to appropriate or transfer a sum or sums of money for the support of public, educational, and/or governmental (“PEG”) access cable television services, said sum or sums to be provided for by the cable franchise agreements and cable licensing fees, detailed in an operational cost, building expenses, and capital expense budget, and expended under the direction of the Town Manager; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 46

**ENDORSEMENT OF
PARKING BENEFIT
DISTRICT
EXPENDITURES**

To see if the Town will vote to endorse the Parking Benefit District operating and capital expenditures for Fiscal Year 2025 prepared by the Town Manager and the Select Board consistent with the Town

Bylaws; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 47

**POSITIONS
RECLASSIFICATION**

To see if the Town will vote to make additions, deletions and/or modifications to the Classification and Pay Plan, appropriate a sum of money to fund same, if necessary, determine how the money will be raised and expended; or take any action related thereto.

Inserted at the request of the
Town Manager and the Director of
Human Resources

Article 48

**AMENDMENTS TO
FY25 BUDGETS**

To see if the Town will vote to appropriate and/or transfer funds between the FY2025 budget and appropriations and the long-term stabilization fund or other available funds as previously voted upon by the 2024

Annual Town Meeting; or take any action related thereto.
Inserted at the request of the
Town Manager

Article 49

APPROPRIATION / TOWN BUDGETS

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended; or take any action related thereto: Finance Committee, Select Board, Town Manager, Human Resources, Comptroller, Information Technology, Town Treasurer and Collector of Taxes, Assessors, Legal and Workers' Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Facilities,

Cemeteries, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Elections, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans' Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

Inserted by the Select Board and
at the request of the Town
Manager

Article 50

CAPITAL BUDGET

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund

previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended, or take any action related thereto.

Inserted by the Select Board and
at the Request of the Town
Manager and the Capital
Planning Committee

Article 51

RESCIND PRIOR BORROWING AUTHORIZATIONS

To see if the Town will vote to rescind the authority to borrow, from prior years authorizations, the amounts remaining with regard to any numbered prior Annual and/or Special Town Meeting Warrant Articles; or take any action related thereto.

Inserted at the request of the
Town Treasurer

APPROPRIATION / TRANSPORTATION INFRASTRUCTURE FUND

To see if the Town will vote to appropriate a sum of money received by the Town from the Commonwealth Transportation Infrastructure Fund to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town including, but not limited to, the Complete Streets Program, accepted by Town Meeting on May 4, 2015, established in Massachusetts General Laws Chapter 90I, Section 1 and other programs that support alternative modes of transportation; or take any action related thereto.

Inserted at the request of the
Town Manager

FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing all or some of same; or take any action related thereto.

Inserted at the request of the
Town Manager and the Director of
Public Works

Article 54

APPROPRIATION / FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF WATER MAINS AND

WATER FACILITIES

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended, including the possibility of borrowing all or some of same; or take any action related thereto.

Inserted at the request of the
Town Manager and the Director of
Public Works

Article 55

APPROPRIATION / MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL AND OUT OF DISTRICT VOCATIONAL PLACEMENTS

To see if the Town will vote to appropriate a sum of money for the purpose of paying the

Town's apportioned share of the operating and maintenance costs, including capital costs, tuition, and all of Arlington's other obligations under the Minuteman Regional School District Agreement for the Minuteman Regional Vocational Technical High School, as well as paying the tuition for all other out of district vocational education placements, determine how the money shall be raised and expended; or take any action related thereto.

Inserted at the request of
Minuteman Regional Vocational
School District Committee

Article 56

**APPROPRIATION /
COMMITTEES AND
COMMISSIONS**

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at

their direction, unless otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Beautification Committee, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Human Resources Board, Public Memorial Committee, Human Rights Commission, Arlington Committee on Tourism and Economic Development, Envision Arlington, Transportation Advisory Committee, Arlington Commission for Arts and Culture, Open Space Committee, and any other Town Committee or Commission; or take any action related thereto.

Inserted at the request of the

Town Manager

Article 57

APPROPRIATION / TOWN CELEBRATIONS AND EVENTS

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised and expended; or take any action related thereto:

Memorial Day Observation and the Patriots' Day Celebration

Display of American Flags on Massachusetts Avenue

Placing of American Flags on the Graves of Veterans

Town Day Celebration

Veterans' Day Parade

250th Anniversary Celebration

Inserted at the request of the
Town Manager

Article 58

APPROPRIATION /

MISCELLANEOUS

To see if the Town will vote the following:
Legal Defense – To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title 1 of the Town Bylaws, Indemnification of Medical Costs, to appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred, determine how the money will be raised and expended; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 59

APPROPRIATION / WATER BODIES FUND

To see if the Town will vote to appropriate a sum of money to the Town's Water Bodies Fund for the maintenance, treatment, and oversight of all the Town's water bodies, said sum to be raised by the general tax

and expended under the direction of the Town Manager, who will also report to Town Meeting on the status of the fund; or take any action related thereto.

Inserted at the request of the Envision Arlington Standing Committee and its Spy Pond and Reservoir Task Groups, and the Arlington Conservation Commission

Article 60

**APPROPRIATION /
COMMUNITY
PRESERVATION FUND**

To see if the Town will vote to make appropriations from the Community Preservation Fund for eligible community preservation projects; for community preservation reserve accounts for historic preservation, open space and recreation, and affordable housing; for Community Preservation Act Committee administrative expenses or other eligible expenses; or take any action related thereto.

Inserted at the request of the

Community Preservation
Committee

Article 61

**APPROPRIATION /
HARRY BARBER
COMMUNITY SERVICE
PROGRAM**

To see if the Town will vote to appropriate a sum of money for the Harry Barber Community Service Program for the Council on Aging, to determine how the money will be raised and expended; or take any action related thereto.

Inserted at the request of the
Council on Aging

Article 62

**APPROPRIATION /
PENSION
ADJUSTMENT FOR
FORMER TWENTY-FIVE
YEAR/ ACCIDENTAL
DISABILITY
EMPLOYEES**

To see if the Town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of Massachusetts General

Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote upon their retirement; this adjustment to be paid to those who qualify and administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; determine how the money shall be raised and expended; or take any action related thereto.

Inserted at the request of the
Contributory Retirement Board

Article 63

APPROPRIATION / PRIVATE WAY REPAIRS REVOLVING FUND

To see if the Town will vote to appropriate a

sum of money into the Private Ways Repairs Revolving Fund; determine how much should be appropriated into such revolving fund; or take any action related thereto.

Inserted at the request of the
Town Manager

Article 64

APPROPRIATION / ARLINGTON COMMUNITY MEDIA

To see if the Town will vote to make an appropriation for a sum or sums of money for the purpose of a direct financial payment to Arlington Community Media, Inc., with any necessary contract, for its educational and/or governmental access cable television services, said sum or sums to be in addition to the sums provided for by the cable franchise agreements and cable licensing fees, and determine how the money shall be raided [sic] and expended, including the possibility of borrowing all or some of same; or take any action related thereto.

Inserted at the request of Nancy Flynn-Barvick and ten registered voters

Article 65

**APPROPRIATION /
IDENTIFICATION OF
HISTORIC RAILROAD
TRACKS**

To see if the Town will vote to appropriate a sum of money for the purpose of designing, making, and installing suitable signage for the short section of the Lexington and West Cambridge railroad tracks in front of the Jefferson Cutter House in Arlington Center. Said project to be under the direction of the Arlington Historical Commission; or take any action related thereto.

Inserted at the request of John Worden III and ten registered voters

Article 66

**APPROPRIATION /
MASTER PLAN
UPDATE**

To see if the Town will vote to appropriate

\$50,000 to update the Master Plan as endorsed by Town Meeting on May 11, 2015; or take any action related thereto.

Inserted at the request of the
Director of Planning and
Community Development

Article 67

LOCAL OPTION TAXES

To see if the Town will vote to accept any local option taxes or other revenue raising options, which are made available to cities and towns through enactments of the legislature, by state regulation or court action; or take any action related thereto.

Inserted at the request of the
Finance Committee

Article 68

APPROPRIATION / OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND

To see if the Town will vote to accept into the Other Post Employment Benefits

(OPEB) Trust Fund, established by Chapter 161 of the Acts of 2005, an appropriation of funds and/or the transfer of additional monies that the Town may deem advisable from other sources in order to administer and fund its OPEB obligations and administrative costs as described in said Chapter 161 of the Acts of 2005; determine how the monies shall be raised and expended; or take any action related thereto.

Inserted at the request of the
Finance Committee

Article 69

**TRANSFER OF FUNDS /
CEMETERY**

To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves" and/or "Perpetual Care Funds"; or take any action related thereto.

Inserted at the request of the
Finance Committee

Article 70

**APPROPRIATION /
OVERLAY RESERVE**

To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made; or take any action related thereto.

Inserted at the request of the
Finance Committee

Article 71

**APPROPRIATION /
LONG TERM
STABILIZATION FUND**

To see if the Town will make an appropriation to the Long-Term Stabilization Fund in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

Inserted at the request of the
Finance Committee

Article 72

USE OF FREE CASH

To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2024; or take any action related thereto.

Inserted at the request of the
Finance Committee

Article 73

APPROPRIATION / FISCAL STABILITY STABILIZATION FUND

To see if the Town will make an appropriation to or from the Fiscal Stability Stabilization Fund created under Article 65 of the 2005 Annual Town Meeting or any other enabling action of Town Meeting in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be

raised and expended; or take any action related thereto.

Inserted at the request of the
Finance Committee

Article 74

COLLECTIVE BARGAINING

To see if the Town will vote to fund any fiscal items in the event that any are contained in collective bargaining agreements between the Town and the following named collective bargaining units, and to fund for non-union, M Schedule, and elected officials' salaries or fringe benefits, determine how the money shall be raised and expended; or take any action related thereto:

- A. Service Employees International Union;
- B. American Federation of State, County and Municipal Employees;
- C. Robbins Library Professional Association;
- D. Arlington Police Patrol Officers' Association;
- E. Arlington Ranking Officers' Association;

- F. Arlington International Association of Firefighters; and
- G. Management and Non-Union Employees
- H. Full-time elected officials

Inserted at the request of the
Town Manager

Article 75

ACCEPTANCE OF LEGISLATION / INCREASE OF COLA BASE

To see if the Town will vote to give the Contributory Retirement Board authority to increase the maximum base on which the cost - of - living increase is calculated for retirees of the Arlington Retirement System from \$15,000 to \$16,000; in accordance with Section 103(j) of Chapter 32 of the Massachusetts General Laws.

Inserted at the request of the
Contributory Retirement Board

Article 76

RESOLUTION / DEVELOPMENT OF

FOX BRANCH LIBRARY

To see if the Town will vote to adopt a resolution affirming a commitment to investigate opportunities to redevelop the Fox Branch Library; or take any action related thereto.

Inserted at the request of the
Library Director

Article 77

RESOLUTION / BANNING BROKER FEES

To see if the Town will vote to ban broker fees; or take any action related thereto.

Inserted at the request of
Guillermo Hamlin and ten
registered voters

Article 78

RESOLUTION / BANNING HOME EQUITY THEFT

To see if the Town will vote to accept and customize recent state action in banning home equity theft; or take any action related thereto.

Inserted at the request of
Guillermo Hamlin and ten
registered voters

Article 79

RESOLUTION / ZERO WASTE PLAN

To see if the Town will vote to resolve to
support the development of a Zero Waste
Plan for the Town of Arlington; or take any
action related thereto.

Inserted at the request of the Zero
Waste Arlington Committee



Town of Arlington, Massachusetts

Article 2

Warrant Article Title:

STATE OF THE TOWN ADDRESS

Warrant Article Text:

To hear the Chair of the Select Board review important events in the past year in Arlington and preview expectations for the year.

Requested by:

Inserted at the request of Envision Arlington



Town of Arlington, Massachusetts

Article 3

Warrant Article Title:

REPORTS OF COMMITTEES

Warrant Article Text:

To receive, hear, and act upon the reports of the Select Board, Finance Committee, Redevelopment Board, School Committee and other committees, commissions, and boards heretofore appointed, or dissolve any inactive committees; and take any action related thereto.

Requested by:

Inserted at the request of the Town Moderator



Town of Arlington, Massachusetts

Article 4

Warrant Article Title:

APPOINTMENT OF MEASURER OF WOOD AND BARK

Warrant Article Text:

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such manner as the Town may determine; or take any action related thereto.

Requested by:

Inserted by the Select Board



Town of Arlington, Massachusetts

Article 5

Warrant Article Title:

**ELECTION OF ASSISTANT TOWN
MODERATOR**

Warrant Article Text:

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11.A, of the Bylaws; or take any action related thereto.

Requested by:

Inserted at the request of the Town Moderator



Town of Arlington, Massachusetts

Article 6

Warrant Article Title:

**BYLAW AMENDMENT / TOWN MEETING
PROCEDURAL RULES**

Warrant Article Text:

To see if the Town will vote to amend Title I
Article 1 Section 10(C) of the Town Bylaws to
permit voice votes as "yes and no" or "yea and
nay" at the discretion of the Moderator; or take
any action related thereto.

Requested by:

Inserted at the request of the Town Meeting
Procedures Committee

Report Excerpt:

VOTE: Favorable Action (5-0)

COMMENT: The Select Board voted
unanimously to recommend favorable action on
this Article, which, if approved, would allow
voice votes taken at Town Meeting to be
conducted by "yea" or "nay" vote at the
discretion of the Moderator, in addition to the
"yes" or "no" voice votes that are already

permitted. The Moderator, who spoke to the Board in favor of the Article, noted that this provision would make it easier to accurately gauge the prevailing side on a voice vote by volume because of the more similar sound of “yea” and “nay.” The Board notes that electronic and standing votes would remain an option under the bylaw should this Article be approved.

Vote Language:

That the Town does and hereby amends title I, Article 1, Section 10(C) of the Town’s Bylaws, or take any action related thereto, so that the new provision of Title I reads:

C. Votes

All Votes, unless otherwise provided by law, ~~shall~~ may be taken in the first instance by a “yes” and “no” or “yea” and “nay” voice vote, or by an electronic tally at the ~~option~~ discretion of the Moderator. If the Moderator is in doubt as to the voice vote, or if five voters immediately question a voice vote, the Moderator shall call for a standing vote or an electronic tally, at the option of the Moderator. In an instance where the difference between the yes and no votes according to an electronic tally is less than 6

votes, then the individual votes shall be displayed.

On all questions submitted for the consideration of the Town Meeting, when requested by thirty or more Town Meeting Members present at the meeting, there shall be a roll call vote, either by voice or by an electronic vote, at the option of the Moderator. If an electronic tally was previously taken on the question, the vote of each Town Meeting Member who voted electronically in the first instance shall be displayed and recorded. All roll call votes, oral or electronic, shall be recorded so as to indicate the individual vote of each Town Meeting Member who shall have voted. Said record of roll call votes, oral or electronic, shall be available as recorded at the Town Clerk's Office.

Whenever a vote of two-thirds of the Town Meeting Members present and voting is required on any matter, the Moderator may declare a motion passed by a voice vote or electronic tally of at least two-thirds in favor. A standing vote or further electronic tally need not

be taken unless required by law or these Bylaws. The Town Clerk shall record the Moderator's declaration that the motion passed by a two-thirds vote in favor.

The individual votes shall always be displayed if the margin of success of the prevailing side, calculated by subtracting the smallest number needed to prevail from the actual number of prevailing votes, is less than three.

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 7

Warrant Article Title:

**BYLAW AMENDMENT / ENERGY
EFFICIENCY AND ELECTRIFICATION
REVOLVING FUND**

Warrant Article Text:

To see if the Town will vote to amend Title 1, Article 22 of the Town Bylaws by adding a new section to establish and authorize a revolving fund to utilize monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Favorable Action (5-0)

COMMENT: The Select Board voted

unanimously to recommend favorable action on this Article. The Board heard from the Town's Sustainability Manager, Talia Fox, regarding the purpose of this revolving fund to provide more financial support for energy and electrification projects. If approved, the revolving fund would allow the Town to implement more energy efficiency initiatives throughout the year. Moreover, the fund could receive state and federal reimbursements directly for projects that have previously received Town Meeting approval.

Vote Language:

That the Town does and hereby amends Title 1, Article 22 of the Town Bylaws by adding a new section to establish and authorize a revolving fund to utilize monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2; or take any action related thereto, so that the new provision of Title I reads:

ARTICLE 22 DEPARTMENTAL REVOLVING FUNDS

Section 5. Energy and Electrification Revolving Fund

There shall be a separate fund called the Energy and Electrification Revolving Fund for the use of the Department of Planning and Community Development. The Comptroller

shall establish said fund as a separate account and credit to the fund all fees and charges associated with the use of energy in school and municipal buildings. The fees and charges are assessed by the Department of Planning and Community Development under the direction of that Department's Director.

During each fiscal year, the Department of Planning and Community Development with the authorization of the Town Manager, may incur liabilities against and spend monies from said fund for projects to fund future energy efficiency, renewable energy and electrification, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2.

The Department of Planning and Community Development shall review the fund on a regular basis regarding the best uses for the funds and report on current balance(s). The Department of Planning and Community Development shall file an annual report on said fund with the Town Manager.

The Energy and Electrification Revolving Fund

shall operate for fiscal years that begin on or after July 1, 2025. At the conclusion of the fiscal year, any remaining funds shall remain in the revolving fund and shall not revert back to the general fund.

Additional Materials:

Select Board Report



Town of Arlington, Massachusetts

Article 8

Warrant Article Title:

BYLAW AMENDMENT / CANINE CONTROL

Warrant Article Text:

To see if the Town will vote to amend Title 1, Article 22 of the Town Bylaws by adding a new section to establish and authorize a revolving fund to utilize monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Favorable Action (5-0)

COMMENT: The Select Board voted unanimously to recommend favorable action on this Article following a presentation from Deputy

Town Counsel regarding the rationale behind the proposed changes. The recommended changes bring the Town's Bylaw into compliance with a recent state law whose goal is to increase protection for dog safety at kennels. In addition, other nonmaterial changes are recommended to align the Bylaw with existing state law.

Vote Language:

That the Town does and hereby amends Title VIII, Article 2 of the Town Bylaws to make changes as required under Chapter 213 of the Acts of 2024 (“Ollie’s Law”) and for the Bylaw’s clarity and effectiveness; or take any action related thereto, so that the new provision of Title VIII reads:

ARTICLE 2 CANINE CONTROL

Section 1. Dogs (ART. 13, ATM-4/29/13)

A. Nuisance and Dangerous Dogs

1. Definitions.

- a. “Nuisance dog” is a dog that:
 - i. by excessive barking or other disturbance is a source of annoyance to a

- sick person residing in the vicinity;
- ii. by excessive barking, causing damage or other interference, behaves in a manner that a reasonable person would find disruptive to quiet and peaceful enjoyment; or
 - iii. has threatened or attacked livestock, a domestic animal, or a person in a manner not grossly disproportionate under all the circumstances.
- b. “Dangerous dog” is a dog that either:
- i. without justification, attacks a person or domestic animal causing injury or death; or
 - ii. behaves in a manner that a reasonable person would believe poses an unjustified imminent threat or physical injury or death to a person or to a domestic or owned animal.
- c. No dog shall be deemed dangerous:
- i. solely based upon growling, barking or both;
 - ii. based upon the breed of the dog; or
 - iii. if, at the time of the incident in question, the dog was reacting to another animal or person in a manner not grossly

disproportionate to any of the following circumstances:

- a. the dog was protecting or defending itself, its offspring, another domestic animal, or a person from attack or assault;
- b. the person attacked or threatened by the dog was committing a crime upon the person or property of the owner or keeper of the dog;
- c. the person attacked or threatened was engaged in teasing, tormenting, battering, assaulting, injuring, or otherwise provoking the dog; or
- d. at the time of the attack or threat, the person or animal attacked or threatened and breached an enclosure or structure, including but not limited to a gated and fenced-in area, in which the dog was kept apart from the public, without being authorized to do so by owner of the premises.

A child age 7 shall be rebuttably presumed not to have been committing a crime, provoking the dog, or trespassing

at the time of the attack or threat.

2. Complaint. Any person may file a written complaint with the Select Board that a dog kept in the Town is a nuisance dog or a dangerous dog.

3. Disposition: The Select Board shall investigate or cause to be investigated the complaint, including an examination under oath of the complainant at a public hearing. Based on credible evidence and testimony presented at the public hearing, the Select Board or its designee (“Hearing Authority”) shall take the following action:

a. Nuisance dog. If the dog is complained of as a nuisance dog, the Hearing Authority shall either (a) deem the dog a nuisance dog; or (b) dismiss the complaint

b. Dangerous dog. If the dog is complained of as a dangerous dog, the Hearing Authority shall either (a) deem the dog a dangerous dog; (b) deem the dog a nuisance dog; or (c) dismiss the complaint.

c. Report to Town Clerk. The Hearing Authority shall report any finding that a dog is a nuisance dog or a dangerous dog to the

Town Clerk.

d. Order valid throughout Commonwealth. Unless later overturned on appeal, any order of the Hearing Authority shall be valid throughout the Commonwealth.

4. Remedies.

a. Nuisance dog. If the Hearing Authority has deemed the dog a nuisance dog, it may order the owner or keeper of the dog to take remedial action to ameliorate the cause of the nuisance behavior.

b. Dangerous dog. If the Hearing Authority has deemed the dog a dangerous dog, it may order one or more of the following remedies, provided, however that no dog that has been deemed dangerous shall be ordered removed from the Town:

i. that the dog be humanely restrained, but no order shall require a dog deemed dangerous to be chained, or tethered, or otherwise tied to an inanimate object such as a tree, post, or building;

ii. that the dog be confined to the premises of the owner or keeper, meaning securely confined indoors or confined outdoors in a securely enclosed pen or

dog run area that has a secure roof, has either a floor secured to all sides or is embedded into the ground for at least two feet, and provides the dog with proper shelter from the elements;

iii. when removed from the premises of the owner or keeper, the dog be securely and humanely muzzled and restrained with a tethering device with a maximum length of three feet and a minimum tensile strength of three hundred pounds;

iv. that the owner or keeper provide (i) proof of insurance of at least \$100,000 insuring the owner or keeper against any claim, loss, damage, or injury to persons, domestic animals, or property resulting from the intentional or unintentional acts of the dog; or (ii) proof that reasonable efforts were made to obtain such insurance;

v. that the owner or keeper provide to the Town Clerk, the Animal Control Officer, or other entity as directed with identifying information for the dog including but not limited to photographs, videos, veterinary records, tattooing,

microchip implantations, or a combination of these;

vi. that the dog be altered so as not to be reproductively intact, unless the owner or keeper provides evidence of a veterinary opinion that the dog is medically unfit for such alteration; or

vii. that the dog be humanely euthanized.

c. ~~Restrictions following dangerousness finding.~~

i. ~~No dog that has been deemed dangerous shall be ordered removed from the Town.~~

ii. ~~No person over the age of 17 who has actual knowledge that a dog has been deemed dangerous under this Bylaw shall permit a child under the age of 17 to own, possess, or have care or custody of that dog.~~

iii. ~~No person shall transfer ownership or possession of a dog that been deemed dangerous under this Bylaw or offer such dog for sale or breeding without informing the recipient of the dog of the finding of dangerousness.~~

iv. ~~If, subsequent to a determination by a Hearing Authority or reviewing court that a dog is dangerous, such dog wounds a person or worries, wounds, or kills any livestock or fowl, the owner or keeper of the dog shall be liable in tort for treble damages.~~

5. Appeal. Within ten days of the issuance of any order under this section, the owner or keeper of the affected dog may bring a petition for judicial review in the district court for the judicial district in which the kennel is located, which shall consider the petition in accordance with Section 157 of Chapter 140 of the General Laws.

6. Impoundment Pending Appeal.

a. Order of impoundment. Pending an appeal, the Hearing Authority may petition the district court ~~for~~ to request an order to impound the dog at a facility the Town uses to shelter animals for a dog complained of as being a dangerous dog. A municipality shall not incur liability for failure to request impoundment of a dog under this subsection. ~~shelter facility used by the Town. Failure to request such impoundment will not result in~~

~~liability for the Town, the Hearing Authority, or any of its agents. The district court shall consider this petition in accordance with Section 157 of Chapter 140 of the General Laws.~~

b. ~~Costs of impoundment.~~

i. ~~If the district court affirms the Hearing Authority's an order of euthanasia, the owner or keeper shall reimburse the Town for all reasonable costs incurred for the housing and care of the dog during the period of impoundment and appeals process, if any. The Town ~~may~~ shall recover ~~unpaid charges~~ costs owed to it under this section by any of the following methods:~~

a. ~~a lien on any real property owned by the owner or keeper of the dog;~~

b. ~~an additional, earmarked charge on the vehicle excise of the owner or keeper of the dog; or~~

c. ~~a direct bill sent to the owner or keeper of the dog.~~

ii. ~~If the court overturns an order of euthanasia, the Town shall pay all reasonable costs incurred for the housing~~

and care of the dog during any period of impoundment. If the district court reverses the Hearing Authority's order of euthanasia, the Town shall pay all reasonable costs incurred for the housing and care of the dog during the period of impoundment.

7. Penalties.

a. If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer (the "Seizing Authority").

b. If the keeper of the dog is in violation, all reasonable effort shall be made by the Seizing Authority to notify the owner of the dog of such seizure. Upon receipt of such notice, the owner may file a petition with the Select Board, within 7 days, for the return of the dog to the owner. The owner or keeper shall be ordered to immediately surrender to the Select Board the license and tags in the person's possession, if any, and the owner or keeper shall be prohibited from licensing a dog within the commonwealth for 5 years.

c. If the Select Board determines that a dog is dangerous or a nuisance or that a dog owner or keeper has violated an order issued under this section, it shall report such violations to the issuing licensing authority within 30 days.

~~a. Seizure/impoundment. If an owner or a keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer. If it is the keeper in violation, all reasonable efforts shall be made to notify the owner of such seizure and impoundment and the owner may, within seven days, petition the Hearing Authority for return of the dog.~~

~~b. Capture/euthanasia. A dog found to be in violation of a Hearing Authority order or district court issued under this section may be captured or detained by a police officer, animal control officer, or constable. In the case of a threat to public safety or of the dog is living in a wild state, the police officer, animal control officer, or constable may euthanize it humanely.~~

~~c. — Fines/imprisonment. A dog owner or keeper who fails to comply with an order of a Hearing Authority or the district court issued under this section shall be punished~~

~~d. — by a fine of not more than \$500 or imprisonment in a jail or house of correction for not more than 60 days, or both for a first offense or by a fine of not more than \$1,000 or imprisonment in a jail or house of correction for not more than 90 days, or both for a second or subsequent offense.~~

~~e. — Future licensure. Any owner or keeper who fails to comply with an order of a Hearing Authority or the district court issued under this section shall be prohibited from licensing a dog within the Commonwealth for five years.~~

B. Chaining or Tethering Dogs and Humane Conditions

(ART. 10, ATM – 04/23/18)

The following shall be done in accordance with M.G.L. ch. 140, s. 174E:

1. No person owning or keeping a dog shall chain or tether a dog to a stationary object including, but not limited to, a structure, dog house, pole or tree for longer than 5 hours in a 24-hour period or outside from 10:00 p.m. to 6:00 a.m. unless the tethering is not for more than 15 minutes and the dog is not left unattended by the owner, guardian or keeper.. A tethering so employed shall not allow the dog to leave the owner's, guardian's or keeper's property. The tether shall be designed for dogs and no logging chains or other lines or devices not designed for tethering dogs shall be used.

No chain or tether shall weigh more than 1/8 of the dog's body weight. Nothing in this section shall be construed to prohibit a person from walking a dog on a hand-held leash. No dog under the age of 6 months shall be tethered outside for any length of time.

2. A person owning or keeping a dog may confine such dog outside, subject to the restrictions in this section and as described in M.G.L. ch. 140, s. 174E(b), through the use of any of the following methods:

- a. inside a pen or secure enclosure, if the following conditions are met:
 - i. the pen or secure enclosure shall have adequate space for exercise with a dimension of at least 100 square feet; provided, however, that commercial dog kennels with pens intended for the temporary boarding of dogs shall be exempt from this requirement;
 - ii. the pen or secure enclosure is constructed with chain link or other similar material as determined by the Building Inspector, with all 4 sides enclosed; and
 - iii. the minimum height of the fence shall be adequate to successfully confine the dog;
- b. a fully fenced, electronically fenced or otherwise securely enclosed yard, wherein a dog has the ability to run but is unable to leave the enclosed yard; or
- c. a trolley system or a tether attached to a pulley in a cable run, if the following conditions are met:
 - i. only 1 dog shall be tethered to each cable run;
 - ii. the tether shall be attached to a

properly fitting collar or harness worn by the dog, with enough room between the collar and the dog's throat through which 2 adult fingers may fit; provided, however, that a choke collar and a pinch collar shall not be used to tether a dog to a cable run;

iii. there shall be a swivel on at least 1 end of the tether to minimize tangling of the tether;

iv. the tether and cable run must each be at least 10 feet in length. The cable must be mounted at least 4 feet but not more than 7 feet above ground level; and

v. the length of the tether from the cable run to the dog's collar or harness shall allow continuous access to clean water and appropriate shelter at all times as described herein; provided, however, that a trolley system or tether shall be of appropriate configuration to confine the dog to the owner's, guardian's or keeper's property, to prevent the trolley system or tether from extending over an object to an edge that could result in injury to or strangulation of the dog and to prevent the trolley system or tether from becoming

tangled with other object or animals.

3. A person owning or keeping a dog confined outside in accordance with M.G.L. ch. 140, s. 174E(b) this section shall provide the dog with access to clean water and appropriate dog shelter. The dog shelter shall allow the dog to remain dry and protected from the elements and shall be fully enclosed on at least 3 sides, roofed and have a solid floor.

The entrance to the shelter shall be flexible to allow the dog's entry and exit, and sturdy enough to block entry of weather elements. The shelter shall contain clean bedding and shall be small enough to retain the dog's body heat and large enough to allow the dog to stand, lie down and turn comfortably. The enclosure shall be structurally sound and in good repair. Suitable drainage shall be provided so that water, ice or waste is not standing in or around the shelter.

4. A person shall not leave a dog outside when a weather advisory, warning or watch is issued by a local, state or federal authority or when outside environmental conditions

including, but not limited to, extreme heat, cold, wind, rain, snow or hail pose an adverse risk to the health or safety of the dog based on the dog's breed, age or physical condition, unless the tethering is for not more than 15 minutes.
No person owning or keeping a dog shall leave a dog chained or tethered outside for longer than 5 hours in a 24-hour period or outside from 10:00 p.m. to 6:00 a.m. unless the tethering is not for more than 15 minutes and the dog is not left unattended by the owner, guardian or keeper.

5. An exception to a restriction on outdoor confinement under this section that is reasonably necessary for the safety of a dog shall be made for a dog that is: (i) present in a camping or recreational area pursuant to the policy of the camping or recreational area; or (ii) actively engaged in conduct that is directly related to the business of shepherding or herding cattle or other livestock or engaged in conduct that is directly related to the business of cultivating agricultural products. Exceptions to the above restrictions on outdoor confinement shall be made for dogs actively

~~engaged in conduct directly related to the business of shepherding or herding cattle or other livestock or engaged in conduct that is directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.~~

6. No person owning or keeping a dog shall subject the dog to cruel conditions or inhumane chaining or tethering at any time. For the purposes of this subsection, “cruel conditions and inhumane chaining or tethering” shall include, but not be limited to, the following conditions:

- a. filthy and dirty confinement conditions including, but not limited to, exposure to excessive animal waste, garbage, dirty water, noxious odors, dangerous objects that could injure or kill a dog upon contact or other circumstances that could cause harm to a dog's physical or emotional health;
- b. taunting, prodding, hitting, harassing, threatening or otherwise harming a tethered or confined dog; and
- c. subjecting a dog to dangerous conditions, including attacks by other

animals.

d. ~~leaving a dog outside when a weather advisory, warning or watch is issued by a local, state or federal authority or when outside environmental conditions including, but not limited to, extreme heat cold, wind, rain, snow or hail pose and adverse risk to the health or safety of the dog, unless tether is for not more than 15 minutes; and~~

7. No person shall confine an animal in a motor vehicle in a manner that could reasonably be expected to threaten the health of the animal due to exposure to extreme heat or cold.

a. After making reasonable efforts to locate a motor vehicles owner, an animal control officer, law enforcement officer or fire fighter may enter a motor vehicle by any reasonable means to protect the health and safety of an animal. Such personnel shall leave written notice in a secure and conspicuous location on or in the motor vehicle bearing the officer's or fire fighter's name and title and the address of the location where the animal may be retrieved. The owner may retrieve

the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment and impoundment of the animal.

b. An animal control officer, law enforcement officer or fire fighter who removes or otherwise retrieves an animal from a motor vehicle under subsection (a), and the Town shall be immune from criminal or civil liability that might otherwise result from removal.

8. Penalties.

a. A person who violates this sections ~~1 through 6 above shall Section(B)(1)-(6)~~, for a first offense, be issued a written warning or

punished by a fine \$50, for a second offense, be punished by a fine of \$200 and for a third or subsequent offense, be punished by a fine of \$3500, and be subject to impoundment of the dog in a local shelter at the owner's or guardian's expense pending compliance with this section, or loss of ownership of the dog.

b. A person who violates Section B(7) section ~~"7"~~ above shall be a civil infraction

punishable by a fine of not more than \$150 for a first offense, by a fine of not more than \$300 for a second offense and by a fine of not more than \$500 for a third or subsequent offense. shall, for the first offense be punished by a fine of \$150, for a second offense, be punished by a fine of \$300, and for a third and each subsequent offense, by a fine of \$3500, and may be subject to prosecution under G.L. c. 272 section 77.
c. Nothing in this Section(B) shall preclude prosecution under section 77 of chapter 272.

Section 2. Leashing of Dogs

(ART. 10, ATM – 04/28/03)

(ART. 27, ATM – 05/05/04)

(ART. 36, ATM – 05/12/10)

(ART. 19, ATM – 04/27/11)

(ART. 13, ATM – 04/29/13)

A. Leash Required

No person owning or keeping a dog in the Town of Arlington shall permit such dog to be at large in the Town of Arlington elsewhere than on the premises of the owner or keeper, except if it be

on the premises of another person with the knowledge and permission of such other person.

Such owner or keeper of a dog in the Town of Arlington, which is not on the premises of the owner or upon the premises of another person with the knowledge and permission of such person shall restrain such dog by a chain or leash ~~not exceeding six feet in length in~~ accordance with M.G.L. ch. 140, s. 174E.

~~In any prosecution hereunder, the presence of such dog at large upon premises other than the premises of the owner or keeper of such dog shall be prima facie evidence that such knowledge and permission was not had.~~
~~This provision~~ Section shall not apply, however, in any area designated by the Board of Parks and Recreation Commissioners as a “Dog Park”, “Dog Run” or “Dog Exercise Area”.

In areas so designated, dogs are not required to be restrained by a leash provided the owner or keeper of such dog is present and attentive to the dog. The Board of Parks and Recreation

Commissioners may designate a dog park, dog run, or dog exercise area only if same is enclosed by appropriate fencing to preclude the escape of any dog into any other area of the park or playground not so designated as a dog park, dog run, or dog exercise area.

B. Enforcement

Any dog found to be at large in violation of this By-Law shall be caught and confined by the dog officer who shall notify forthwith the licensed owner or keeper of said dog giving the owner or keeper a period of seven days within which to recover the dog.

Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper.

The dog officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into the officers' custody under this section, as provided for in this By-Law.

A dog officer having custody of a dog confined under this By-Law shall be allowed the sum of forty-dollars per day for each day of confinement for the care of such dog, payable by the owner or keeper thereof.

C. Fines (ART. 40, ATM – 05/08/91) (ART. 17, ATM – 04/26/06) (ART. 19, ATM – 04/27/11)

Violations of Sections 2 of this Article shall be punishable as follows:

First
offense

By a fine of \$75.00

Second
offence

a fine of \$100.00

Third offence

By a fine
of \$150.00

Fourth and each subsequent offense

By a fine of \$200.00

The Park and Recreation Commission shall

provide for a hearing process to consider community input regarding the creation, placement and use of dog parks, dog runs or dog exercise areas. The Commission shall adopt rules and regulations concerning these hearings subject to the approval of the Town Manager.

D. Notwithstanding the foregoing, from park opening time until 9 am, a maximum of two dogs per handler may be off-leash, under effective owner control, in all lands under control of the Parks and Recreation Commission except:

1. those lands directly contiguous to school properties;
2. within 15 feet of a playground equipment;
3. by specific exclusion of the Parks and Recreation Commission.

Section 3. No Fouling of Sidewalks, Etc.

A. Duty to Dispose. It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by their

dog on any sidewalk, street or other public area in the Town. It shall further be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by their dog on any private property neither owned nor occupied by said person.

B. Duty to Possess Means of Removal. No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, street, park or other public area without the means of removal of any feces left by such dog.

Furthermore, no person who owns, possesses or controls such dog shall appear with such dog on any private property neither owned nor occupied by said person without the means of removal of any feces left by said dog.

C. Method of Removal and Disposal. For the purposes of this regulation, the means of removal shall be any tool, implement, or other device carried for the purpose of picking up and containing such feces, unexposed to said person or the public.

Disposal shall be accomplished by transporting such feces to a place suitable and regularly reserved for the disposal of canine feces, or as otherwise designated as appropriate by the Board of Health.

D. Fines (ART. 40, ATM – 05/08/91)

Violation of Section 3 of this Article shall be punishable as follows:

First

offense

By a fine of \$75.00

Second

offence

a fine of \$100.00

Third offence each subsequent offense

By a fine of \$150.00

By

E. Exemption This regulation shall not apply to a dog accompanying any handicapped person who, by reason of their handicap, is physically unable to comply with the requirements of this By-Law, or to any individual who utilizes a guide dog.

F. Severability The provisions of this section are severable; and if any of the provisions of this section shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 4. Licensing

(ART. 25, ATM – 04/27/88)

(ART. 23, ATM – 05/04/09)

(ART. 13, ATM – 04/29/13)

(ART. 8, ATM – 04/26/21)

A. Licensing Requirement.

1. License required. The owner or keeper of any dog over the age of six months kept in the Town of Arlington shall obtain a license for the dog from the Town Clerk.

2. Annual renewal. Licenses issued under this section shall be renewed on an annual basis in accordance with procedures to be determined by the Town Clerk. Licenses are issued for the calendar year and must be

renewed every year on or before January 1st, although there is a grace period established in sub-section F before fines are assessed.

3. Transfer. Within 30 days of moving into the Town, the owner or keeper of a dog must apply to the Town Clerk for a license.

B. Conditions.

1. Rabies vaccination. The Town Clerk shall not grant a license unless (i) the license applicant provides a veterinarian's certification or notarized letter that the dog has been vaccinated against rabies; or (ii) the dog is exempted from the vaccination requirement by the Town of Arlington Board of Health or the Town Clerk in accordance with Section 145B of Chapter 140 of the General Laws.

2. Control. Any license granted under this section is granted on the condition that the licensed dog shall be controlled and restrained from killing, chasing, or harassing livestock or fowl.

3. Previous conviction of animal cruelty. Town Clerk shall not grant a license under

this section or Section 5, below, to an applicant who has been convicted of one or more of the offenses set forth in Section 137D of Chapter 140 of the General Laws within the preceding five years.

C. License Forms.

1. Symptoms of rabies. Every license issued to the owner of a dog shall have a description of the symptoms of rabies printed thereon, as supplied by the state Department of Public Health.
2. Description of dog. The owner of a dog to be licensed under this section may add to the license application form up to ten descriptive words indicating the dog's color, breed, weight, or any special markings.

D. Tags.

1. Issuance. Along with the license, the Town Clerk shall issue a durable tag inscribed with the license number, designation of the Town of Arlington, and the year of issue.
2. Affixed to dog. The owner or keeper of the licensed dog shall keep a collar or

harness of leather or other suitable material affixed around the dog's neck or body to which the tag shall be securely attached.

3. Lost tags. If the tag is lost or destroyed, the owner or keeper shall immediately secure a substitute tag from the Town Clerk for a fee to be determined by the Town Clerk.

E. Exemptions. The requirements of this section shall not apply to a dog housed in a research institution.

~~1. to a person to whom the applicable kennel license has been issued under this Bylaw and remains in force; or (2) to a dog housed in a research institution.~~

F. Fees. (ART. 10, ATM – 04/23/18)

1. Annual license fees. The annual license fees are as follows:

- | | |
|-------------------|---------|
| a. female: | \$20.00 |
| b. spayed female: | \$15.00 |
| c. male | \$20.00 |
| d. neutered male: | \$15.00 |

To be charged the lower fee for licensing a spayed or neutered dog, the license

applicant must provide proof of spay or neuter in the form of either: (a) a certificate from the veterinarian who spayed or neutered the dog; (b) a veterinary bill for performing the procedure; or (c) a statement signed under the penalties of perjury by a veterinarian registered and practicing in the Commonwealth describing the dog and stating that the veterinarian has examined the dog and that the dog appears to be spayed or neutered and therefore incapable of propagation.

2. Failure to comply; penalties.
 - a. Penalty for failure to comply with licensing requirements.

Failure to comply with this section shall be punishable by a fine of \$25 said fine to be assessed by the Town Clerk as part of the fees paid to license a dog.

Under state law, the Animal Control Officer or other police officer may issue a citation for \$50 to any dog owner without

a current license for the animal.

Grace period. Failure to satisfy licensing requirements before the first Thursday following 45 business days of the 1st of January each year arises will constitute a failure to comply with licensing requirements.

b. Additional late fees.

Missed year. An additional \$25 fine shall be applied by the Town Clerk where owners fail to register a dog for an entire calendar year, due upon registration the following calendar year, and the license fee for missed year must be paid in full. These late fees shall be in addition to any other applicable penalty provided for in this Bylaw.

Multiple penalties. If the owners fail to register a dog for an entire calendar year and apply for a registration outside of the grace period, the fine will consist of the \$25 late fee and the \$25 skipped year

fee, due upon registration in the current year.

3. Waiver of fees.

a. Service animal.

No fee shall be charged for the licensure of a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. ~~Late fees apply.~~

—

~~b. Owner aged 70 and over.~~

~~If the Town so votes in accordance with Section 139(c) of Chapter 140 of the General Laws, no fee shall be charged for the licensure of a dog owned by a person aged 70 years and older. Late fees apply.~~

—

4. No refund of fees. No license fee paid under this section shall be refunded, in whole or in part, due to mistake or due to the subsequent death, loss, spay or neuter, removal from the Town or the Commonwealth, or other disposal of the licensed dog.

Section 5. Kennels (ART. 13. 04/29/13)

A. Definitions.

1. "Commercial breeder kennel", an establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.
2. "Domestic charitable corporation kennel", a facility operated, owned or maintained by a domestic charitable corporation registered with the department or an animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals, including a veterinary hospital or clinic operated by a licensed veterinarian, which operates consistent with such purposes while providing veterinary treatment and care.
3. "Kennel", a pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

4. “Licensee”, a person who owns and maintains a kennel that has received a kennel license from the relevant licensing authority.

5. "Personal kennel", a pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

6. "Veterinary kennel", a veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that "veterinary kennel" shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care.

A. ~~Personal Kennel (Kennel A)~~

1. ~~License optional (Kennel A-1). An owner or keeper of four or fewer dogs, three months or older, may elect to secure a Personal Kennel License from the Town Clerk rather than licensing each dog under Section 4, above.~~

2. ~~A Personal Kennel (Kennel A) is a pack or collection of five or more dogs, three months or older, owned or kept under single ownership for private personal purposes. License mandatory (Kennel A-2). An owner or keeper of five or more dogs, three months or older, must secure a Personal Kennel License from the Town Clerk or other type of~~

~~kennel license as may be applicable under this section.~~

~~3. Definition. A Personal Kennel is a pack or collection of five or more dogs (or fewer dogs, as in the case of a License-Optional Personal Kennel (Kennel A-1) as defined above at Section 5.A.1), three months or older, owned or kept under single ownership for private personal purposes.~~

~~4. Breeding. Breeding of dogs owned or kept under a Personal Kennel License may be done only for the purpose of improving, exhibiting, or showing the breed; for legal sporting activity; or for other personal reasons.~~

~~5. Sales allowed. Dogs bred at a Personal Kennel may be sold, traded, bartered, or otherwise distributed only by private sale to other breeders or individuals and not to wholesalers, brokers, or pet shops.~~

~~6. Sales prohibited, restricted. No holder of a Personal Kennel License may sell, trade, barter, or otherwise distribute any dog not bred from a personally~~

~~owned dog, except dogs temporarily housed at a Personal Kennel in conjunction with an animal shelter or rescue program registered with the state Department of Agricultural Resources if the sale, trade, barter, or other distribution is not for profit.~~

~~B. Other Types of Kennels.~~

~~1. Commercial Boarding or Training Kennel (Kennel B) is an establishment used for boarding, holding, day care, overnight stays, or training of animals that are not the property of the owner of the establishment where such services are rendered for a fee or other consideration and generally rendered in the absence of the owner of the animal. A "Commercial Boarding or Training Kennel" shall not include an animal shelter or animal control facility, a pet shop licensed by the state Director of Animal Health, a grooming facility operated solely for the purpose of grooming animals and not for overnight boarding, or an individual who~~

temporarily and not in the normal course of business boards or otherwise cares for animals owned by others.

2. Commercial Breeder Kennel (Kennel C) is an establishment, other than a Personal Kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers, or pet shops for a fee or other consideration.

3. Domestic Charitable Corporation Kennel (Kennel D) is a facility operated, owned, or maintained by a domestic charitable corporation registered with the state Department of Agricultural Resources or an animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals, including a veterinary hospital or clinic operated by or under the supervision of a licensed veterinarian that operates consistent with such purposes while providing veterinary treatment and care.

4. Veterinary Kennel (Kennel E) is a veterinary hospital or clinic that boards

~~dogs for reasons in addition to medical treatment and care; a “Veterinary Kennel” shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so *only for the period of time necessary to accomplish that veterinary case.*~~

~~B. C.~~ License Requirements

- a. A person maintaining a kennel shall obtain a kennel license. The Town Clerk shall issue, suspend, renew and revoke kennel licenses as specified in this chapter and any other law. In the case of an applicant for initial licensure or license renewal, the Town Clerk shall deny a kennel license until a kennel has passed inspection by an animal control officer.
- b. (1) The issuing city or town shall determine the period of time for which a kennel license shall be valid, including the date of issuance of the license through the date on which the license expires, inclusive, and shall further determine the fee for the issuance and

renewal of a license; provided, however, that in determining the amount of the license fee for a kennel, a dog under the age of 3 months shall not be counted in the number of dogs kept in a kennel. The name and address of the owner of each dog kept in a kennel, if other than the person maintaining the kennel, shall be kept at the kennel and available for inspection by an animal control officer, natural resource officer, deputy natural resource officer, fish and game warden or police officer. A kennel that owns or keeps a dog over the age of 6 months shall comply with section 145B.

b. (2) A commercial boarding or training kennel shall maintain records of individual dog licenses, as required in section 137, for all dogs in its care.

c. The licensing authority shall issue a kennel license without charge to a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse or for the relief of suffering.

- ~~1. License required. A person or entity maintaining any type of kennel listed in this section (except a License-Optional Personal Kennel (Kennel A-1) as defined above at Section 5.A.1) shall obtain the appropriate kennel license from the Town Clerk and in accordance with procedures that the Town Clerk shall determine.~~
- ~~2. Renewal. Licenses issued under this section shall be renewed periodically in accordance with a schedule and procedures to be determined by the Town Clerk.~~
- ~~3. License fees, calculation, and exemption. The fees for licenses issued under this section will be established by the Town Clerk. For purposes of calculating kennel license fees, only dogs over the age of six months shall be counted in the total number of dogs kept in a kennel. No kennel license fee shall be charged to a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect, abuse, or suffering.~~
- ~~4. Licensing inspection. No kennel license~~

~~shall be issued or renewed until a kennel has passed inspection by the Town Animal Control Officer or designee.~~

~~5. Failure to comply, penalty. Failure to comply with the licensing requirements of this section shall be punishable by a fine of \$50.~~

C. ~~D.~~ Kennel Operation.

1. Standards. Kennels must be operated and maintained in a sanitary and humane manner.

2. Records.

a. The name and address of the owner of each dog kept in a kennel, other than dogs belonging to the person maintaining the kennel, shall be kept at the kennel and available for inspection at any time. The kennel license will specify the terms and conditions and may require that the kennel owner or operator is able to produce documentation upon request for each dog showing they are currently licensed in their home community.

b. The Town Clerk, as the licensing

authority, shall specify on the license the type of kennel and the maximum number of animals that may be maintained by the licensee. Such number shall be determined by the Town Clerk and the animal control officer following the required inspection. For commercial boarding or training kennels, the number of animals shall be determined following the required inspection and in accordance with regulations promulgated pursuant to section 174G to ensure the property can support the number of animals while ensuring their health and safety

3. Annual Reporting. Annually, not later than June 1, the Town Clerk shall send to the Department of Agricultural Resources a list of all kennels and their addresses licensed by the Town.

4. Penalties. A person who violates this section shall be assessed a fine by the Town Clerk of \$500 for a first offense and a fine of not more than \$1,000 for a second or subsequent offense. The Town

Clerk may notify the Animal Control Officer in writing of the violation, and the Animal Control Officer may issue a citation to the owner or operator of the kennel.

~~3. Kennel tags. A holder of a kennel license shall cause each dog kept in its kennel to wear, while in the kennel, a collar or harness of suitable material to which a tag shall be securely attached. This tag shall be inscribed with the number of the kennel license, name of the Town of Arlington, and year of issue. Such tags shall be issued by the Town Clerk in such number as the number of dogs kept in the kennel.~~

a. Inspections.

The Select Board, the Town Manager the Chief of Police, or the Animal Control Officer, or their designee or the agent of any of these ("Inspecting Authority") shall inspect or cause the inspection of every kennel licensed within the Town at least once per year. If a licensee or a person applying for a license to maintain a

kennel refuses to allow an inspector to enter and inspect a kennel, the refusal shall be grounds for denial, suspension or revocation of the license. may inspect any kennel at any time for compliance with the above requirements. The refusal to allow an inspection is grounds for denial, suspension, or revocation of the license.

b. Citizen Complaints. Twenty-five citizens of the Town may file a petition with the Select Board stating that they are aggrieved or annoyed to an extent that constitutes a nuisance by a dog maintained in the Town due to excessive barking or other conditions connected with a kennel. The Select Board or Town Manager shall, not more than 7 days after the filing of such petition, give notice to all interested parties of a public hearing. The hearing shall be held not more than 14 days after the date of the notice. The Select Board or Town

Manager, not more than 7 days after the public hearing, investigate or cause to be investigated the subject matter of the petition and shall, by order:

- i. suspend the license;
- ii. revoke the license;
- iii. further regulate the kennel; or
- iv. dismiss the petition.

~~4. License suspension, revocation. If the Inspecting Authority determines that the kennel is not being maintained in a sanitary or humane manner or if records are not properly kept, the Inspecting Authority may revoke or suspend the kennel license.~~

~~E. Citizen Complaints.~~

~~1. Filing. Twenty-five citizens of the Town may file a petition with the Select Board stating that they are aggrieved or annoyed to an unreasonable extent due to excessive barking or other conditions associated with a kennel.~~

~~2. Hearing. Within seven days of the~~

~~filing of such petition, the Select Board shall give notice to all interested parties of a public hearing concerning the petition to be held within fourteen days after the date of the notice.~~

~~3. Investigation. At the hearing, the Select Board may cause an investigation of the kennel that is the subject of the petition or take such other action as it deems prudent.~~

~~4. Disposition. Following the public hearing and any investigation or other proceedings, the Select Board may suspend or revoke the kennel license, may take other such action to regulate the kennel that it deems prudent, or may dismiss the petition. The Select Board shall cause written notice of any order issued under this section to be mailed immediately to the holder of the kennel license and the Town Clerk.~~

~~5. Appeal. Within ten days of the issuance of any order under this paragraph, the holder of the affected license may bring a petition for judicial review in the district court for the judicial~~

~~district in which the kennel is located,
which shall consider the petition in
accordance with Section 137C of
Chapter 140 of the General Laws.~~

~~6. Penalties. A person maintaining a
kennel after revocation or during
suspension of a license under this
section shall be punished by a fine of
\$250 for a first offense, \$500 for a
second offense, and \$1000 for a third or
subsequent offense.”~~

—
c. Notice.

A written notice under this Section(a)
of an order revoking or suspending
the license, further regulating the
kennel or dismissing the petition shall
be mailed immediately to the licensee
and to the officer that issued the
license. Not more than 10 days after
the written notice of the order, the
licensee may file a petition in the
district court in the judicial district in
which the kennel is maintained
seeking review of the order. After
notice to all parties as the court may

consider necessary, the court shall review the action, hear the witnesses and affirm the order unless the court determines that it was made without proper cause or in bad faith, in which case the order shall be reversed. The decision of the court shall be final and conclusive upon the parties.

d. Penalties.

A person maintaining a kennel after the license to maintain a kennel has been revoked or suspended shall be assessed a fine by the licensing authority of not more than \$250 for a first offense, by a fine of not less than \$500 for a second offense and by a fine of not more than \$1,500 for a third or subsequent offense.

Section 6. Non-Criminal Disposition

(ART. 40, ATM – 05/08/91)

Enforcement of Title VIII, Article 2, Sections 2 and 3, of the bylaws may, in the first instance, be pursued through the provisions of Section 21D of Chapter 40 of the General

Laws, which provides for a non-criminal disposition.

The enforcing persons shall be any police officer of the Town, any employee of the Board of Health, or any Animal Control Officer of the Town.

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 9

Warrant Article Title:

**BYLAW AMENDMENT / OBSERVANCE OF
TOWN EMPLOYEE HOLIDAYS**

Warrant Article Text:

To see if the Town will vote to amend Title I, Article 6, Section 16 of the Town's Bylaws to define and clarify the observance of employee holidays, including, but not limited to, when holidays fall upon a weekend day; or take any action related thereto.

Requested by:

Inserted at the request of the Director of Human Resources

Report Excerpt:

VOTE: Favorable Action (5-0)

COMMENT: The Select Board recommends favorable action on this Article which, if approved, would result in greater consistency across Town departments in the holiday observance credits provided to Town employees. Where a holiday falls on a

Saturday, the bylaw change would call for a Friday holiday, as opposed to allowing for another undefined work day. Since Friday is a half-day for Town employees, the observance of the holiday on a Friday would also result in Town Hall closing at 4:00 on the preceding Thursday. In addition to creating uniformity within departments, it would also provide for consistency with the practice seen in other communities and in federal and state offices that are closed on a Friday preceding a Saturday holiday.

Vote Language:

That the Town does hereby amends Title I, Article 6, Section 16 of the Town's Bylaws, or take any action related thereto, so that the new provision of Title I reads:

Section 16. Holidays

(ART. 44, ATM – 06/16/97) (ART.17, ATM – 05/30/07)

(ART. 12, ATM – 04/26/21)

In order to qualify for holiday credit, a regular employee shall have worked on the last regularly scheduled work day prior to, and the next regularly scheduled work day following

such holiday, unless it is an absence for which compensation is payable as provided under this by-law.

The following days in each year shall be considered as holiday credits:

New Years Day

Martin Luther King Day

Washington's Birthday

Patriot's Day

Memorial Day

Juneteenth Independence Day

Independence Day

Labor Day

Indigenous Peoples Day (known as the state and federal holiday “Columbus Day”)

Veterans’ Day

Thanksgiving Day

Christmas

Christmas Day if same falls on a Monday through Friday

Whenever a holiday falls on Saturday, another working day off with pay shall be arranged at

the discretion of the department head. the

holiday shall be observed on the preceding

Friday. Good Friday shall be considered as half

day holiday credit. The day following Thanksgiving shall be treated as a holiday unless an employee is scheduled to work same by the department head in which event the employee will be granted another day off at the discretion of the department head.

Additional Materials:

Select Board Report



Town of Arlington, Massachusetts

Article 10

Warrant Article Title:

**BYLAW AMENDMENT / POET LAUREATE
OF ARLINGTON**

Warrant Article Text:

To see if the Town will vote to amend Title II, Article 11 of the Town Bylaws to: (1) change its selection criteria so that it is not required that a person be a resident of Arlington to be considered for appointment as Poet Laureate and if appointed, need not remain an Arlington resident during their term as Poet Laureate; and (2) formally establish that screening committee also provides the necessary support to the selected Poet Laureate at the beginning and throughout their term; or take any action related thereto.

Requested by:

Inserted at the request of Poet Laureate
Screening Committee

Report Excerpt:

VOTE: Favorable Action (5-0)

COMMENT: The Select Board recognizes the challenges presented by the current residency requirement for Poets Laureate as articulated by a representative of the Poet Laureate Screening Committee. To provide for a wider pool of qualified candidates, the Board unanimously recommends favorable action on this Article, which, if approved, would remove the residency requirement for selection and continued service as Poet Laureate.

With regard to the second part of the warrant article that contemplates codifying an ongoing role for the Screening Committee, the Board reached consensus to limit its recommended action to removing the residency requirement as described above.

Vote Language:

That the Town does and hereby amends Title II, Article 11 of the Town Bylaws to: (1) change its selection criteria so that it is not required that a person be a resident of Arlington to be considered for appointment as Poet Laureate and if appointed, need not remain an Arlington resident during their term as Poet Laureate; and (2) formally establish that screening committee also provides the necessary support to the

selected Poet Laureate at the beginning and throughout their term; or take any action related thereto, so that the new provision of Title II reads:

ARTICLE 11 POET LAUREATE OF ARLINGTON

Section 1. Establishment of an Honorary Poet Laureate of Arlington

There is hereby established for the purposes of advancing the literary arts, enriching the community, and recognizing the literary achievements of Town residents, the honorary position of Poet Laureate of Arlington.

Section 2. Selection, Term and Criteria

Appointment of a Poet Laureate shall be for a term of one year, annually renewable for a total of three years based on the recommendation of a screening committee of five persons consisting of:

a) A designee of the Library Board of Trustees

(by majority vote);

b) A designee of the Arlington School Committee (by majority vote);

c) A designee of the Arlington Commission on Arts and Culture (by majority vote)

d) A former Poet Laureate starting with the most recent or a Town Meeting Member (appointed by the Town Moderator) if no former Poet Laureate is available;

e) A designee of the Town Manager (with advice and consent of the Select Board).

The screening committee's recommendation for Poet Laureate shall be confirmed by the Select Board.

~~This honorary position shall be voluntary. Only Arlington residents shall be considered for appointment, and any person appointed as Poet Laureate of Arlington must at all times remain an Arlington resident during their term as Poet Laureate. In the event that a Poet Laureate is no longer a resident of Arlington during their term, the honorary position shall be construed to have been constructively vacated.~~

Section 3. Duties of the Poet Laureate

The duties of the Poet Laureate shall be to present original works of poetry, conduct readings and participate in public events and Town, public school and library programs as appropriate and practicable.

Additional Materials:

Select Board Report



Town of Arlington, Massachusetts

Article 11

Warrant Article Title:

**BYLAW AMENDMENT / ARLINGTON
HISTORICAL COMMISSION INVENTORY**

Warrant Article Text:

To see if the Town will vote to amend Title VI, Article 6 of the Town Bylaws to create a process for homeowners to remove their home from the Town's Historic Structures Inventory; or take any action related thereto.

Requested by:

Inserted at the request of Lois Kaznicki and ten registered voters

Report Excerpt:

VOTE: Favorable Action (5-0).

COMMENT: The Select Board recommends favorable action on the proposed bylaw change. If approved, the bylaw would allow homeowners to appeal the placement of their properties on the Town's Historic Structures Inventory ("HSI"). The Board found the

proponents' presentation persuasive regarding the challenges faced by homeowners whose properties may be listed on the HSI in error. The Board found additional grounds for recommending favorable action after a Historical Commission member acknowledged during the hearing on this article that there are issues with the HSI and that it is likely over inclusive. In balancing the work of the Commission with the needs of homeowners, the Board adopted the recommended time frames for appealing a designation and for the Commission's issuance of a decision.

Vote Language:

That the Town does and hereby amends Title VI, Article 6 of the Town's bylaws, or take any action related thereto, so that the revised Title VI, Article 6 reads:

ARTICLE 6
HISTORICALLY OR
ARCHITECTURALLY SIGNIFICANT
BUILDINGS

Section 1. Intent and Purpose

This Bylaw is adopted for the purpose of

preserving and protecting, through advance notice of their proposed demolition, significant buildings within the Town which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the Town, to encourage owners of preferably-preserved significant buildings to seek out persons who might be willing to purchase and to preserve, rehabilitate, or restore such buildings rather than demolish them, and by furthering these purposes to promote the public welfare, to preserve the resources of the Town, and to make the Town a more attractive and desirable place in which to live. To achieve these purposes, the Arlington Historical Commission is empowered to advise the Arlington Building Inspector with respect to the issuance of permits for demolition, and the issuance of demolition permits for significant buildings is regulated as provided in this Bylaw. This Bylaw also provides a remedial process through which “Significant Buildings” listed on the “Inventory” created and maintained by the Arlington Historical Commission, and provided to the Building Inspector, may be removed from said “Inventory.”

Section 2. Definitions

(ART. 35, ATM – 05/01/89) (ART. 31, ATM – 04/25/90)

The following terms, when used whether or not capitalized in this Bylaw, shall have the meanings set forth below, unless the context otherwise requires.

A. "Building" Any combination of materials forming a shelter for persons, animals or property

B. "Significant Building" any building:

1. which is listed on, or is within an area listed on, the National Register of Historic Places, or which is the subject of a pending application for listing on said National Register, or

2. which is or has been listed on an Inventory provided to the Building Inspector by the Commission

C. "Preferably-Preserved Significant Building" – any significant building which the Commission determines is in the public interest to be preserved or rehabilitated rather than to be demolished

D. "Commission" - the Arlington Historical Commission

E. “Commission Staff” - the chairperson of the Commission, or any person to whom the chairperson has delegated authority to act as Commission staff under this Bylaw

F. “Inventory” - a list of buildings on file at the Massachusetts Historical Commission that have been designated by the Commission to be significant buildings after a finding by the Commission that a building either

1. is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or Commonwealth, or

2. is historically or architecturally significant (in terms of period, style, method of building construction, or association with a famous architect or builder) either by itself or in the context of a group of buildings

G. “Building Inspector” - the person occupying the office of Building Inspector or otherwise authorized to issue demolition permits

H. “Application” - an application for a permit for the demolition of a building which shall include a photograph of the building taken within the past year

I. "Permit" - a permit issued by the Building Inspector for demolition of a building pursuant to an application therefor

J. "Demolition" - the act of pulling down, destroying, removing, or razing a building, or commencing the work of total or substantial destruction with the intent of completing the same. A structure is considered to be demolished if it is destroyed due to the owner's failure to maintain a watertight and secure structure. A structure shall also be considered to be demolished if more than twenty-five percent (25%) of the front or side elevations are removed or covered. Each elevation shall be calculated separately

K. "Business Day" - a day which is not a legal municipal holiday, Saturday or Sunday

L. "Property owner" – the owner of record of a Building, as found on the Town's local tax list

Section 3. Procedure

(ART. 24, ATM – 05/01/89) (ART. 31, ATM – 04/25/90)

A. The Building Inspector, on the day of receipt of an application for demolition of a listed significant building or within the next five

successive business days, shall cause a copy of each such application for a demolition permit to be forwarded to (or shall satisfy themselves that a duplicate of such application has been submitted to) the Commission. No demolition permit shall be issued at that time. Within five business days of the receipt by the Building Inspector of said application they shall personally inspect the site of the proposed demolition to verify the accuracy of the information contained in the application with particular attention to the correctness of the address listed.

B. The Commission shall fix a reasonable time, within 30 days of receiving a copy of such application, for a hearing on any application and shall give public notice thereof by publishing notice of time, place, and purpose of the hearing in a local newspaper at least fourteen days before said hearing and also, within seven days of said hearing, mail a copy of said notice to the applicant, to the owners of all property deemed by the Commission to be affected thereby as they appear on the most recent local tax list, to the Arlington Historic Districts Commission and to such other

persons as the Commission shall deem entitled to notice.

C. If, after such hearing, the Commission determines that the demolition of the significant building would not be detrimental to the historical or architectural heritage or resources of the Town, the Commission shall so notify the Building Inspector within ten (10) days of such determination. Upon receipt of such notification, or after the expiration of fifteen (15) days from the date of the conduct of the hearing if such person has not received notification from the Commission, the Building Inspector may, subject to the requirements of the State Building Code and any other applicable laws, bylaws, rules and regulations, issue the demolition permit.

D. If the Commission determines that the demolition of the significant building would be detrimental to the historical or architectural heritage or resources of the Town, such building shall be considered a preferably-preserved significant building.

E. Upon a determination by the Commission that the significant building which is the subject of the application for a demolition permit is a

preferably-preserved significant building, the Commission shall so advise the applicant and the Building Inspector, and no demolition permit may be issued until at least twelve months after the date of the application for demolition.

F. Notwithstanding the preceding sentence, the Building Inspector may issue a demolition permit for a preferably-preserved significant building at any time after receipt of written advice from the Commission to the effect that either

1. the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building, or
2. the Commission is satisfied that for at least twelve months the owner has made continuing bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate and restore the subject building, and that such efforts have been unsuccessful.

G. No permit for erection of a new structure on the site of an existing significant building may be issued prior to issuance of a permit for demolition of such existing building.

H. No permit for erection of a new building, paving of drives or for parking shall be issued for two (2) years if a structure is demolished in violation of this bylaw.

Section 4. Inventory Removal Procedure

The removal of listed properties from the Inventory that have been previously determined to include Significant Building shall be done in accordance with the following procedures:

A. A Homeowner may submit an appeal to the Commission to request the removal of the Homeowner's Building from the Inventory and a determination that the Building is not a Significant Building for purposes of Section 2(B)(2).

B. Any appeal to remove a building, structure or property from the Inventory shall be considered by the Commission at a public hearing.

C. The Commission shall provide public notice of any such hearing in accordance with the provisions set forth in Section 3(B) of this Bylaw.

D. The Commission shall hold a public hearing (the "Public Hearing") on an appeal to remove a Building from the Inventory withing sixty (60)

days and the public hearing on the appeal shall be concluded within ninety (90) days of the appeal filing date (the “Public Hearing Deadlines”) unless the applicant consents to extend the Public Hearing Deadlines. Any appeal submitted to the Commission under this Section shall be constructively approved in the Commission fails to abide by the Public Hearing Deadlines and if no extension by the applicant is granted.

E. The Commission shall consider the following factors at a Public Hearing in which it reviews an appeal to remove a Building from the Inventory:

1. Whether the Building was added to the Inventory in error;
2. Whether the Building is a Significant Building or is the subject of a pending application of the same listed on, or is within an area listed on, the National Register of Historic Places or is the subject of a pending application for listing on said National Register;
3. The extent, if any, of the documented historical significance of the Building;
4. Whether there are any factual

circumstances that have changed since the Building's inclusion on the Inventory that impact the Building's status as a Significant Building.

F. The Commission shall issue a notice of decision detailing the reasons for its decision within fifteen (15) business days of the conclusion of Public Hearing. If the Commission determines that a Building is not properly on the Inventory, the date of the Commission's notice of decision shall be the date the Building is removed from the Inventory. The Commission shall issue the notice of decision by mailing it to the Homeowner and providing a copy to the Town's Director of Inspectional Services.

Section 4-5. Emergency Demolition

Nothing in this article shall be construed to derogate in any way from the authority of the Inspector of Buildings derived from Chapter 143 of the General Laws. However, before acting pursuant to this chapter the Inspector of Buildings shall make every reasonable effort to inform the Chairperson of the Historical Commission of the Inspector's intentions to

cause demolition before the Inspector initiates same.

Section ~~5~~6. Historic Districts Act

Nothing in this bylaw shall be deemed to conflict with the provisions of the Historic Districts Act, General Laws, Chapter 40C, with respect to requirements as to notice, a hearing and issuance by the Arlington Historic District Commissions of a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship prior to demolition of any building in an historic district, provided, however, that any temporary building erected or maintained in an historic district pursuant to a certificate issued by the Arlington Historic District Commissions may be demolished in a manner not inconsistent with the terms of said certificate.

Section ~~6~~7. Severability

If any section, paragraph or part of this Bylaw is for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 12

Warrant Article Title:

**BYLAW AMENDMENT / EXPANDING TOWN
COMMITTEE MEMBERSHIP ELIGIBILITY TO
ALL RESIDENTS**

Warrant Article Text:

To see if the Town will vote to amend Title I,
Article I, Section 9(B) (4) of the Town Bylaws to
revise the eligibility requirements for town
committees and commissions in the bylaws to
include all town residents, regardless of voter
status or age; or take any action related thereto.

Requested by:

Inserted at the request of Joshua Solomon and
ten registered voters

Report Excerpt:

VOTE: Favorable Action (5-0)

That the Town does and hereby amends Title L
Article 1, Section 9(B)(4) of the Town's Bylaws

COMMENT: The Select Board voted
unanimously to recommend favorable action on
this Article, which, if approved, would amend

the bylaw that establishes the default membership criteria for these bodies by changing the term “registered voters” to “residents.” The Board supports the proponent’s objective to promote inclusivity in Town boards, committees and commissions. Following advice from Town Counsel regarding the potential legal implications of expressly encompassing minors as eligible for membership on these bodies, the Board also recommends expressly establishing the age of majority as a threshold requirement for membership in tandem with the prior change, to mitigate risk to the Town. The Board notes that these bylaw changes do not preclude persons under the age of eighteen from serving on certain Town boards, committees and commissions if such membership is expressly permitted by the language of the governing bylaw and is not otherwise prohibited by state law.

Vote Language:

That the Town does and hereby amends Title I, Article 1, Section 9(B)(4) of the Town's Bylaws, or take any action related thereto, so that the revised Title I, Article 1,

Section 9(B)(4) reads:

Section 9. Appointment of Committees (ART. 14, ATM – 05/09/94)

A. Scope This section shall apply to all committees (as hereinafter defined) established by the Town Meeting, or under the bylaws, except to the extent that the vote establishing the same shall specify otherwise, or if the General Laws or Special Acts require a different method. It shall not be applicable to committees established prior to the effective date hereof, except to the extent that the Town Meeting may vote to make any one or more provisions hereof applicable to the same.

B. Definitions

1. Appointing Authority - the person or entity having the power to appoint persons to committees. Unless otherwise specified, the Moderator shall be the appointing authority.

2. Committee - any committee, commission, board, task force or other such group however denominated.

3. Entity - a board, corporation, voluntary association, committee, commission, or other group. Unless the bylaws or a vote of

such entity specify otherwise, an entity shall act by its chair, president, or other chief executive officer.

4. Members of a Committee - registered voters residents of the Town, but in any event who are legal age of majority in accordance with state law, unless the vote otherwise specifies.

5. Nominating Authority - the person or entity having the power to nominate or designate one or more members of a committee. If no nominating authority is specified, the appointing authority shall also be the nominating authority.

6. Town Official – (ART. 10, ATM – 04/26/99) whenever a vote by the Town Meeting or a Bylaw shall provide for the appointment or nomination of an elected or appointed official of the Town, except a Town Meeting member, such designation shall be considered to mean and shall include the designee of such official, unless the vote or bylaw specifically provides otherwise.

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 13

Warrant Article Title:

HOME RULE LEGISLATION / ARLINGTON
REDEVELOPMENT BOARD AS THE TOWN
OF ARLINGTON BOARD OF SURVEY

Warrant Article Text:

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to update the Town Manager Act to reflect the Arlington Redevelopment Board as the Board of Survey as established pursuant to Chapter 42 of the Acts of 2009; or take any action related thereto.

Requested by:

Inserted at the request of the Arlington
Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (4-0)
Mr. Helmuth recused himself.

COMMENT: The Select Board recommends favorable action on this article, which aims to

update the Town Manager Act by special legislation passed in 2009 naming the Arlington Redevelopment Board as the Town's Board of Survey. Following an affirmative Town Meeting vote in 2008 (Article 16), the legislature approved the Town's home rule petition to name the ARB as the Board of Survey.

Notwithstanding the foregoing, the Town Manager Act still contains two references to the Select Board as the Board of Survey. If passed, the proposed article will correct the references.

Vote Language:

That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to provide substantively as follows:

"AN ACT AMENDING THE TOWN MANAGER ACT OF THE TOWN OF ARLINGTON.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same, as follow:

Section 1. Chapter 503 of the acts of 1952, as most recently amended by chapter 10 of the acts of 2022 is hereby further amended as set forth below.

Section 2. Section 10 of said chapter 503, as so appearing, is hereby amended by striking out each of the two references to "Select Board" and replacing each with "Redevelopment Board".

Section 3. Section 17 of said chapter 503, as so appearing, is hereby amended by striking out the words "except that the Redevelopment Board shall not have any of the powers or perform any of the duties of or in conflict with the powers or duties of a board of survey all of which powers and duties shall continue to be exercised and performed by the Select Board constituted as a board of survey unless and until such town by vote of a town meeting shall vote to terminate the existence of the board of survey or to accept the provisions of the subdivision control law contained in Sections eighty-one K to eighty-one GG, inclusive, of

said chapter forty-one and any amendments thereof or additions thereto, and the subdivision control law shall not be or be deemed to be in effect in such town unless and until such town by vote of a town meeting shall vote to accept the provisions thereof" Section 17 is further amended by replacing the comma after "Section eighty-one A" with a period.

Section 4. Section 26 of said chapter 503, as so appearing, is hereby amended by striking out the words "or Board of Survey" and further amended by striking out the word "surveyors" and replacing it with the word "regulators".

Section 5. This act will take effect upon its passage. "

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 14

Warrant Article Title:

HOME RULE LEGISLATION / REAL ESTATE TRANSFER

Warrant Article Text:

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation or other Special Legislation which would permit the Town to impose a real estate transfer fee or tax for the purposes of acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town; said fee or tax to be levied on the buyer, seller, or both on the purchase price of qualifying real estate, the proceeds of which are to be deposited in an Arlington Affordable Housing Trust Fund established pursuant to Section 55C of Chapter 44 of the General Laws; to set forth the rate, the qualifications for applicable transfers, and exemptions of and to such a tax or fee; and to authorize the procedures and requirements necessary for the collection of

such fee; or take any action related thereto.

Requested by:

Inserted at the request of the Director of
Planning and Community Development

Report Excerpt:

VOTE: Favorable Action (4-0)

Mr. Helmuth recused himself.

COMMENT: This article calls for the refiling of a home rule petition Town Meeting approved in 2023 (Article 25) that would allow the Town to establish a real estate transfer fee upon the sale of property in the Town. Similar to Articles 17 and 18 below, refiling is proposed because the state legislature did not take action on the initial bill prior to the close of its last legislative session on December 31, 2024. Sarah Suarez, the Town's Assistant Director of Planning for the Department of Planning and Community Development, appeared before the Board and explained that the goal of the legislation is to secure a consistent and independent source of funding for the Town's Affordable Housing Trust to support affordable housing throughout the Town. As it did in 2023, the Select Board voted unanimously to recommend favorable action on

this warrant article.

Vote Language:

That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to provide substantively as follows:

“AN ACT ESTABLISHING A REAL ESTATE TRANSFER FEE UPON THE TRANSFER OF PROPERTY IN THE TOWN OF ARLINGTON.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same, as follow:

Section 1. There is hereby imposed a real estate transfer fee, hereinafter "the fee," upon the transfer of any real property interest or the transfer of a controlling interest in a trust, limited liability company or other entity that directly or indirectly holds an interest in any real property situated in the town of Arlington according to the price thresholds, fee rates and other terms to be established pursuant to

Sections 2 and 3 by town meeting following a recommendation by the select board of the town of Arlington.

Section 2. The fee established pursuant to Section 1 shall apply to any transfer exceeding a threshold price between 50 per cent to 150 per cent of the state median sale price of a single-family home. The threshold price shall be set by town meeting following a recommendation by the select board.

Section 3. The fee established pursuant to Section 1 shall be between 0.05 per cent and 2 per cent of the transfer price, to be assessed upon the buyer or transferee, the seller or transferor or both parties to be determined by a vote of town meeting following a recommendation by the select board of the town of Arlington. The town of Arlington may define by by-law what constitutes a controlling interest and the calculation of the fee.

Section 4. The following transfers of real property interests shall be exempt from the fee established in Section 1:

- a. transfers for less than 50 per cent to 150 per cent of the state median sale price of a single-family home as determined by the department of housing and community development;
- b. transfers made as gifts with consideration less than \$100 if the seller shall have been at the time of the transfer the spouse, domestic partner, lineal descendant or the lineal ancestor of the purchaser, by blood, marriage or adoption;
- c. transfers to the federal government, the commonwealth and any of their instrumentalities, agencies or subdivisions, including the town of Arlington and the Arlington housing authority;
- d. transfers of residential property that include 1 or more units subject to affordable housing restrictions, as defined in Section 31 of chapter 184 of the General Laws; provided, however, that the fee imposed shall be proportionately reduced based on the percentage of residential units subject to affordable housing restrictions, as compared to the total number of residential units;

- e. transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made;
- f. transfers by operation of law without actual consideration, including, but not limited to, transfers occurring by virtue of death or bankruptcy of the owner of real property interest;
- g. transfers made in partition of land and improvements thereto, pursuant to chapter 241 of the General Laws;
- h. transfers to a charitable organization, as defined in clause Third of Section 5 of chapter 59 of the General Laws, or a religious organization; provided, however, that the real property interests so transferred shall be held solely for affordable housing related uses that are consistent with the uses allowed by the Arlington affordable housing trust fund established pursuant to Section 55C of chapter 44 of the General Laws;
- i. transfers for a mortgagee in foreclosure of the mortgage held by the mortgagee, and transfers of the property subject to a mortgage to the mortgagee in consideration of the forbearance of the mortgagee from

closing such mortgage; and
j. transfers consisting of the division of marital assets pursuant to Section 34 of chapter 208 of the General Laws or other provisions of law.

Section 5. The Town of Arlington shall not, by by-law or otherwise, eliminate or reduce any exemption set forth in Section 4.

Section 6. The fee shall be paid to the Town of Arlington and deposited into the Arlington Affordable Housing Trust Fund pursuant to said Section 55C of said chapter 44, and appropriations therefrom shall be limited to financing affordable housing and reasonable amounts for personnel and other costs. The town of Arlington shall have such remedies to collect the fee as provided by law with respect to the collection of real property taxes, including collection and imposing liens for any outstanding transfer fee.

Section 7. The Town of Arlington may, by by-law, adopt additional requirements, exemptions,

waivers and regulations to implement or enforce the fee, consistent with this act.

Section 8. The Town of Arlington shall require a copy of the deed or other instrument evidencing such transfer and shall be accompanied by:

- a. an affidavit signed under oath or under the pains and penalties of perjury by the purchaser and seller attesting to the purchase price;
- b. the applicable fee owed or, if applicable, an affidavit of intent to seek one of the permissible exemptions, as described in Section 4 for that property by the purchaser; and
- c. the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee.

Section 9. Upon receipt of the transfer fee or satisfactory evidence of exemption, the town of Arlington or its designee shall promptly thereafter issue a certificate indicating that the fee has been paid or that the transfer is exempt from the fee. The Middlesex South registry of deeds shall not record or register a deed unless

the deed is accompanied by such certificate.

Section 10. The Town of Arlington shall prepare and issue an annual report that:

- a. identifies fee receipts;
- b. quantifies affordable housing programs funded, including type and purpose; and
- c. evaluates the impact of the affordable housing programs, including, but not limited to, to the extent reasonably possible and permitted by applicable law, the number and demographics of individuals and families served as well as measures of housing stability and wealth generation in the community.

Section 11. Acceptance of this act by the Town of Arlington shall be first by vote of approval at an annual town meeting, to be followed by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot.

Section 12. Sections 1 to 10, inclusive, shall take effect 30 days after acceptance by the town of Arlington pursuant to Section 11.

Section 13. This act will take effect upon its passage.”

Additional Materials:

Select Board Report



Town of Arlington, Massachusetts

Article 15

Warrant Article Title:

HOME RULE LEGISLATION / TO AMEND THE SENIOR CITIZEN PROPERTY TAX EXEMPTION

Warrant Article Text:

To see if the Town will vote to authorize and request the Select Board to request the Legislation or Senate and House of Representatives in General Court or other Special Legislation to amend Chapter 285 of the Acts of 2020 “An Act Authorizing the Town of Arlington To Establish A Means Tested Senior Citizen Property Tax Exemption” by inserting the following language at the end of Section 3“; or funded by an appropriation or transfer from existing funds while not exceeding 1 per cent of the municipality’s tax levy.”; or take any action related thereto.

Requested by:

Inserted at the request of the Board of
Assessors

Report Excerpt:

VOTE: Favorable Action (4-0).
Mr. Helmuth recused himself.

COMMENT: The Select Board voted unanimously to recommend favorable action on this Article after receiving a presentation from the Town's Director of Assessments, Dana Mann. Several months ago, the Town began administering a local, means-tested circuit breaker program for seniors permitted by Home Rule Legislation enacted in 2019 and approved by Arlington voters in November, 2023. In response to challenges the Assessors experienced in the program's initial implementation, this article seeks to provide greater flexibility in determining the funding source of the annual exemption benefit for qualifying senior citizens.

Vote Language:

“AN ACT AMENDING THE TOWN OF ARLINGTON’S MEANS TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same,

as follow:

Section 1. Chapter 285 of the acts of 2020 is hereby amended as set forth below.

Section 2. Section 3 of said chapter 285, as so appearing, is hereby amended by inserting “and/or funded by an appropriation or transfer from existing funds while not exceeding 1 per cent of the municipality’s tax levy.” at the of that Section.

Section 3. This act will take effect upon its passage.”

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 16

Warrant Article Title:

HOME RULE LEGISLATION / PACKAGE STORE LICENSES

Warrant Article Text:

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation which would permit the placing on the 2026 Annual Town Election ballot a question to authorize the Select Board to increase the current number of all-alcohol “package store” licenses (all-alcohol beverages for consumption off the premises) from the current number of 6; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Favorable Action (4-0)

Mr. Helmuth recused himself.

COMMENT: The Board voted unanimously to recommend favorable action on this article to increase the number of all-alcohol package

store licenses from six to eight. Town Manager Feeney inserted this article since the Town has issued all six of its current available licenses. The Town Manager explained that the lack of available all-alcohol package store licenses could have a chilling effect on economic development and commercial expansion, while having an ancillary effect of creating a secondary market for the transfer of licenses.

The Board also heard from Katie Luczai, the Town's Economic Development Coordinator and Town Counsel. Town Counsel noted that the last time the Town increased these licenses, it did so by an increment of one license (from five to six), which was presented to the Town as a ballot question in 2019. The Board discussed the Article and the economic benefits that the license increase could provide to the Town. Ms. Luczai indicated to the Board that she has not identified any tangible adverse consequences that could flow from increasing the licenses.

Vote Language:

That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to provide substantively as

follows:

“AN ACT AUTHORIZING THE SELECT BOARD OF THE TOWN OF ARLINGTON TO PLACE UPON A TOWN BALLOT A QUESTION TO INCREASE THE NUMBER OF LICENSES FOR ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES.”

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same, as follow:

Section 1. Notwithstanding sections 11, 15 and 17 of chapter 138 of the General Laws, the Select Board of the town of Arlington may cause to be placed upon the ballot at a town election held in the year 2026 the following question:

“Shall the Select Board of the town be authorized to issue 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises?

Yes_____ No_____”

Section 2. If a majority of voters voting at the 2026 town election at which the above question appears on the ballot vote ‘yes’ on the question, then the Select Board of the town of Arlington may issue 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises, in addition to the 6 licenses that are currently authorized in the town of Arlington for the sale of all alcoholic beverages not to be drunk on the premises. The licenses shall be subject to all of chapter 138 of the General Laws, except as provided in this act.

Section 3. This act will take effect upon its passage.”

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 17

Warrant Article Title:

HOME RULE LEGISLATION /
RODENTICIDE

Warrant Article Text:

To see if the Town will vote to authorize the Select Board to re-file Home Rule Legislation to regulate and/or ban the use of Second Generation Anticoagulant Rodenticides by pesticide applicators within the Town of Arlington; or take any action related thereto.

Requested by:

Inserted at the request of Elaine Crowder and ten registered voters

Report Excerpt:

VOTE: Favorable Action (4-0)
Mr. Helmuth recused himself.

COMMENT: The Select Board voted unanimously to recommend favorable action on this warrant article to refile home rule legislation seeking to regulate and ban the use in town by pesticide applicators of Second Generation

Anticoagulant Rodenticides (SGARS). The Board heard from the article's proponent, who explained the purpose of the proposed legislation and it having previously been filed with the Legislature in 2022 in accordance with Town Meeting's passage of Article 18. The proponent explained that the current proposed legislation is substantially the same and noted the Town's leadership and other communities are attempting to promote state action to protect the wildlife impacted and put in danger by SGARS. Town Counsel explained that for this proposed legislation to go back to the Legislature, Town Meeting will again need to approve it for refiling.

Vote Language:

That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to provide substantively as follows:

"AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO PROHIBIT USE OF SECOND GENERATION ANTI-COAGULANT RODENTICIDES BY COMMERCIAL PESTICIDE APPLICATORS.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding chapter 132B of the General Laws or any other general or special law to the contrary, the town of Arlington may regulate through local bylaw or board of health regulation or ordinance the use of second generation anti-coagulant rodenticides within the town of Arlington, including prohibiting the use of such pesticides by licensed commercial applicators as defined in 333 C.MR. 10.00.

Section 2. This Act will take effect upon its passage. "

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 18

Warrant Article Title:

HOME RULE LEGISLATION / RANKED CHOICE VOTING

Warrant Article Text:

To see if the Town will vote to authorize the Select Board to file Home Rule Legislation to elect Town offices by Ranked Choice Voting; or take any action related thereto.

Requested by:

Inserted at the request of Greg Dennis and ten registered voters

Report Excerpt:

VOTE: Favorable Action (3-1)

Mr. Helmuth recused himself.

Mr. DeCoursey voted in the negative.

COMMENT: Similar to other warrant articles this year that concern the refiling of home rule petitions Town Meeting approved in prior sessions, the Select Board recommends favorable action on this warrant article regarding ranked choice voting. The Board heard from the article's proponent, who noted that the proposed legislation was originally filed in 2023 pursuant to the 2021 Annual Town Meeting's passage of Article 24. He explained to the Board that the previously filed legislation did not pass that legislative session and as a result, this warrant article would allow Town Meeting to again vote on the proposed legislation. The Board remains unanimous in its support for ranked-choice voting in single seat elections, with Mr. DeCoursey the lone dissenter as to its use in multi-seat elections.

Vote Language:

That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to provide substantively as

follows:

**“AN ACT RELATIVE TO RANKED CHOICE
VOTING IN THE TOWN OF ARLINGTON**

Be it enacted by the Senate and House of
Representatives in the General Court
assembled, and by the authority of the same,
as follow:

SECTION 1. Chapter 503 of the acts of 1952,
as most recently amended by chapter 10 of the
acts of 2022, is hereby amended by inserting
after section 8 the following section:

Section 8A. Ranked Choice Voting

a. For the purposes of this section, the following
terms shall, unless the context clearly requires
otherwise, have the following meanings:

“Concluded ballot”, a ballot that does not rank
any continuing candidate, contains an overvote
at the highest-ranked continuing candidate.

“Continuing candidate”, a candidate who has
not been defeated.

“Highest-ranked continuing candidate”, the continuing candidate with the highest ranking on a voter's ballot. Where a ballot omits 1 or more rankings, the next highest ranking shall be used for determining the highest-ranked continuing candidate.

“Overvote”, a circumstance in which a voter ranks more than 1 candidate at the same ranking.

“Ranked choice voting”, a method of casting and tabulating ballots in which voters rank candidates for office in order of preference.

“Ranking”, the number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number 1 shall be the highest ranking, ranking number 2 shall be the next-highest ranking and so on.

b. The offices of select board member, school committee member, moderator, elected member of the board of the housing authority and assessor shall be elected by ranked choice

voting, except for single-seat offices when the number of candidates printed on the ballot is less than or equal to 2 or multi-seat offices when the number of candidates printed on the ballot is less than or equal to the number of seats to be elected. Rank choice voting elections shall be tabulated in rounds pursuant to this section.

c. In any single-seat election, each round shall begin by counting the number of votes for each continuing candidate. Each ballot shall count as 1 vote for its highest-ranked continuing candidate. Concluded ballots shall not be counted for any continuing candidate. Each round shall end with 1 of the following 2 outcomes:

1. If there are more than 2 continuing candidates, candidate with the most votes shall be elected, and tabulation shall be complete.

2. Otherwise, the candidate with the fewest votes shall be defeated and a new round shall begin.

d. In any multi-seat election, the first seat shall be filled pursuant to the tabulation process

established in subsection (c). The remaining seats shall be filled by repeated application of the tabulation process established in subsection (c); provided, however, that all votes marked for candidates who have already been elected shall be disregarded and votes shall be counted for the next highest-ranked continuing candidate.

e. If 2 or more candidates are tied with the fewest votes such that tabulation cannot continue until the candidate with the fewest votes is defeated, then the tied candidate with the fewest votes in the prior round shall be defeated. If 2 or more such tied candidates were tied with the fewest votes in the prior round, the second tie shall be decided by referring similarly to the number of votes for each candidate in the second-prior round. This process shall be applied successively as many times as necessary. The Town Clerk shall establish a method of tiebreaking that will be used if 2 or more candidates are tied with the fewest votes in the first round of tabulation.

f. The Town Clerk may make any changes, subject to approval by the Select Board, to the ranked choice voting ballot and tabulation process necessary to ensure the integrity and

smooth functioning of the election, provided that ranked choice voting shall still be used and the fewest number of changes are made to achieve such purpose.

g. The Town Clerk shall publish election results that show the tabulation by rounds.

SECTION 2. The following question shall be placed on the ballot to be used at a regular state or town election or at a special election called for the purpose of presenting the question to the voters: Shall an act entitled “An Act Authorizing Ranked Choice Voting in the Town of Arlington” be accepted?

a. The town attorney shall prepare the summary of the proposed legislation, which shall appear on the ballot along with the question provided in this section.

b. If a majority of votes cast in answer to the question is in the affirmative, the Town shall be taken to have accepted the legislation, but not otherwise.

SECTION 3. This act shall take effect immediately upon approval of said question.

Additional Materials:

Select Board Report



Town of Arlington, Massachusetts

Article 19

Warrant Article Title:

HOME RULE LEGISLATION / WILLIAM PILLERI

Warrant Article Text:

To see if the Town will vote to request and authorize the Select Board to file Home Rule Legislation so as to enable William Pilleri, a resident of the Town, to be eligible for appointment as a firefighter in the Town of Arlington notwithstanding the fact that he has attained the age of 32; or take any action related thereto.

Requested by:

Inserted at the request of William Pilleri and ten registered voters

Report Excerpt:

VOTE: Favorable Action (4-0)
Mr. Helmuth recused himself.

COMMENT: The Select Board unanimously supports Town resident William Pilleri's request for special legislation to be permitted to sit for

the firefighter civil service exam in pursuit of a position as a firefighter in Arlington. Civil Service Law (as applied in Arlington) does not ordinarily permit a candidate aged 32 or older to be appointed to the position of firefighter.

Notwithstanding this, the Board has historically supported requests of those above age 32 who seek the opportunity to apply and be considered for appointment. Mr. Pilleri would not be guaranteed a position, only an opportunity.

Moreover, he would still be required to pass all other Civil Service prerequisites including a physical fitness examination.

Vote Language:

That the Town does and hereby authorizes the Select Board to file Home Rule Legislation to provide substantively as follows:

“AN ACT TO PERMIT TOWN RESIDENT, WILLIAM PILLERI, TO TAKE THE CIVIL SERVICE TEST FOR THE POSITION OF FIREFIGHTER IN THE TOWN OF ARLINGTON.

Be it enacted by the Senate and House of

Representatives in the General Court assembled, and by the authority of the same, as follow:

Section 1. Notwithstanding the provisions of any special or general law to the contrary, including without limitation Chapter 31 of the General Laws, the Civil Service law, William Pilleri, a resident of the Town of Arlington, is authorized to take the Civil Service examination for appointment to the position of Firefighter, notwithstanding the fact that he has attained the age of 32. The authority under this act will expire on June 1, 2029.

Section 2. This Act will take effect upon its passage.”

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 20

Warrant Article Title:

ACCEPTANCE OF LEGISLATION / CLAUSE
22I of M.G.L. Chapter 59, §5

Warrant Article Text:

To see if the Town of Arlington will accept the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 22I, as created by Chapter 178 of the Acts of 2024, commonly referred to as the "HERO Act", which authorizes an annual increase in the amount of the exemption to veterans granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager
and Veterans' Service Director

Report Excerpt:

VOTE: Favorable Vote (5-0)

COMMENT: The Select Board unanimously voted to recommend favorable action on this Article following a presentation from Colonel Phillip McGovern, the Town's Director of Veterans Services. If approved, the Article would provide additional benefits to qualifying veterans in Arlington. A recent state law (the "HERO Act") permits the Town to accept certain legislation at a local level to increase the amount of tax exemption granted to veterans on their domiciles on an annual basis under certain other clauses of Chapter 59 through a cost of living ('COLA') increase.

Vote Language:

That the Town of Arlington does hereby accept General Laws Chapter 59, Section 5, Clause 221 which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the

US. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 21

Warrant Article Title:

**ACCEPTANCE OF LEGISLATION /
CHAPTER 399 OF THE ACTS OF 2024**

Warrant Article Text:

To see if the Town will vote to accept the provisions of Chapter 399 of the Acts of 2024, or any other applicable laws, to permit the installation, operation, and maintenance of school bus violation detection monitoring systems on school buses; or take any action related thereto.

Requested by:

Inserted at the request of the School Committee

Report Excerpt:

VOTE: Favorable Vote (5-0)

COMMENT: The Board voted to recommend favorable action on this Article following a presentation by the chair of the School Committee. If the Article is adopted, the Town would accept provisions of new state legislation

permitting the Town to install a school bus violation detection monitoring system on buses ridden by the Town's students. Such a system, by recording motor vehicles that overtake or fail to stop for a school bus when required by law to do so, would detect moving violations committed by motor vehicle operators. The Board supports the student safety goals articulated by the School Committee in requesting this action.

Vote Language:

That the Town of Arlington does hereby accept General Laws Chapter 40, Section 71, enabling the Town to install, operate and maintain school bus violation detection monitoring systems on school buses to enforce violations pursuant to Sections 14 and 14C of the Massachusetts General Law Chapter 90. Any system put in shall be limited to monitoring and detecting violations of motor vehicle operators who fail to stop for a school bus.

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 22

Warrant Article Title:

ENDORSEMENT OF CDBG APPLICATION

Warrant Article Text:

To see if the Town will vote to endorse the application for Federal Fiscal Year 2026 prepared by the Town Manager and Select Board under the Housing and Community Development Act of 1974 (PL 93-383) as amended; or take any action related thereto.

Requested by:

Inserted by the Select Board and at the request of the Town Manager

Report Excerpt:

VOTE: Favorable Action 6-0*

*Includes vote of Town Manager for CDBG purposes.

COMMENT: This Article represents the vote to endorse the annual application for the Community Block Development Grant funds.

Vote Language:

That the Town hereby endorses the application

for Federal Fiscal Year 2026 prepared by the Town Manager and the Select Board under the Housing and Community Development Act of 1974 (PL 93-383), as amended.

Additional Materials:

Select Board Report

CDBG Report lists specific items



Town of Arlington, Massachusetts

Article 23

Warrant Article Title:

REVOLVING FUNDS

Warrant Article Text:

To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds, to appropriate sums of money to fund all revolving funds and determine how the money shall be raised or expended; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Favorable Action (5-0)

Vote Language:

That the Town does hereby reauthorize the following Revolving Funds for FY 2026:

Private Way Repairs (3106): Originally established under Article 46, 1992 Annual Town

Meeting

expenditures not to exceed \$1,000,000

Beginning Balance, 7/1/23 \$50,552.16

Receipts 132,581.83

Expenditures 124,696.00

Ending Balance, 6/30/24 \$58,437.99

Public Way Repairs (3105): Originally established under Article 45, 1992 Annual Town Meeting

expenditures not to exceed \$15,000

Beginning Balance, 7/1/23 \$14,715.06

Receipts 0.00

Expenditures 0.00

Ending Balance, 6/30/24 \$14,715.06

Fox Library Community Center Rentals

(3109): Originally established under Article 49, 1996 Annual Town Meeting

expenditures not to exceed \$20,000

Beginning Balance, 7/1/23 \$21.47

Receipts 0.00

Expenditures 0.00

Ending Balance, 6/30/24 \$21.47

Robbins House Rentals (3110): Originally established under Article 77, 1997 Annual Town Meeting
expenditures not to exceed \$75,000

Beginning Balance, 7/1/23 \$10,086.77
Receipts 16,690.00
Expenditures 10,407.64
Ending Balance, 6/30/24 \$16,369.13

Uncle Sam Fees (3101): Originally established under Article 31, 2000 Annual Town Meeting
expenditures not to exceed \$2,000

Beginning Balance, 7/1/23 \$1,526.31
Receipts 0.00
Expenditures 0.00
Ending Balance, 6/30/24 \$1,526.31

Life Support Services (Ambulance) Fees (3103): Originally established under Article 37, 2001 Annual Town Meeting
Expenditures not to exceed \$800,000

Beginning Balance, 7/1/23 \$107,956.71
Receipts 187,068.31
Expenditures 240,008.61
Ending Balance, 6/30/24 \$55,016.41

Board of Health Fees (3111): Originally established under Article 30, 2005 Annual Town Meeting
expenditures not to exceed \$150,000

Beginning Balance, 7/1/23 \$420,348.46
Receipts 66.896.75
Expenditures 51.172.32
Ending Balance, 6/30/24 \$436.072.89

Field User Fees (3115): Originally established under Article 78, 2004 Annual Town Meeting
expenditures not to exceed \$120,000

Beginning Balance, 7/1/23 \$15,995.62
Receipts 78,391.75
Expenditures 74,254.95
Ending Balance, 6/30/24 \$20,132.42

Robbins Library Rentals (3114): Originally

established under Article 35, 2006 Annual Town Meeting
expenditures not to exceed \$8,000

Beginning Balance, 7/1/23 \$42,455.32
Receipts 85,727.88
Expenditures 3,103.75
Ending Balance, 6/30/24 \$44,826.57

Town Hall Rentals (3112): Originally established under Article 35, 2006 Annual Town Meeting
expenditures not to exceed \$175,000

Beginning Balance, 7/1/23 \$59,656.03
Receipts 85,727.88
Expenditures 68,728.38
Ending Balance, 6/30/24 \$76,655.53

White Goods Recycling Fees (3107):
Originally established under Article 35, 2006 Annual Town Meeting
expenditures not to exceed \$80,000

Beginning Balance, 7/1/23 \$49,791.18
Receipts 30,920.33

Expenditures 41,085.66

Ending Balance, 6/30/24 \$39,625.85

Library Vending Fees (3113): Originally established under Article 34, 2009 Annual Town Meeting

expenditures not to exceed \$25,000

Beginning Balance, 7/1/23 \$17,235.89

Receipts 13,432.49

Expenditures 9,713.47

Ending Balance, 6/30/24 \$20,954.91

Gibbs School Energy Fees (3102): Originally established under Article 45, 2010 Annual Town Meeting

expenditures not to exceed \$120,000

Beginning Balance, 7/1/23 \$4,814.41

Receipts 0.00

Expenditures 0.00

Ending Balance, 6/30/24 \$4,814.41

Council On Aging Program Fees (3108): Originally established under Article 28, 2013 Annual Town Meeting

Expenditures not to exceed \$100,000

Beginning Balance, 7/1/23 \$4,917.78

Receipts 26,642.00

Expenditures 11,101.54

Ending Balance, 6/30/24 \$20,458.24

Cutter Gallery Rentals (3117): Originally established under Article 24, 2004 Annual Town Meeting

expenditures not to exceed \$15,000

Beginning Balance, 7/1/23 \$0.00

Receipts 0.00

Expenditures 0.00

Ending Balance, 6/30/24 \$0.00

Community Center Rentals (3118): Originally established under Article 24, 2024 Annual Town Meeting

expenditures not to exceed \$50,000

Beginning Balance, 7/1/23 \$0.00

Receipts 0.00

Expenditures 0.00

Ending Balance, 6/30/24 \$0.00

Additional Materials:
Select Board Report



Town of Arlington, Massachusetts

Article 24

Warrant Article Title:

REVOLVING FUND / 17 IRVING STREET

Warrant Article Text:

To see if the Town will vote to establish a revolving fund under MGL Ch. 40, sec.3, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds, to appropriate sums of money to fund same revolving fund and determine how the money shall be raised or expended; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Favorable Action (5-0)

COMMENT: The Board voted unanimously to recommend favorable action on this Article following a presentation from the Town's Deputy Town Manager for Finance, Alex Magee, regarding the utility of the proposed revolving fund to support expenditures related to the Parmenter School. Mr. Magee noted that although local acceptance of this particular statute is not required, the Article is being presented at Town Meeting to advance transparency, and to authorize fund carry-over each fiscal year.

Vote Language:

That the Town does and hereby amends Title 1, Article 22 of the Town Bylaws by adding a new section to establish and authorize a revolving fund pursuant to

**M.G.L. ch. 40, § 3 for the Parmenter School
located at 17 Irving Street in Arlington to
support Town expenditures related thereto.**

Additional Materials:

Select Board Report



Town of Arlington, Massachusetts

Article 25

Warrant Article Title:

ZONING BYLAW AMENDMENT / ACCESSORY DWELLING UNITS

Warrant Article Text:

To see if the Town will vote to amend Section 2: Definitions, Section 5.4.2.B.(6) Large Additions, Section 5.4.2.B.(7) Garages, Section 5.10.2 Accessory Dwelling Units, and Section 6.1.4 Parking, of the Zoning Bylaw, to revise the requirements for permitting accessory dwelling units as-of-right or by special permit; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

In 2024, Massachusetts passed the Affordable Homes Act, which includes provisions to

encourage the production of accessory dwelling units (ADUs) throughout the Commonwealth with the goal of increasing housing options for households of all income levels and at all stages of life. This law establishes that certain ADUs are protected from municipal zoning restrictions that would prohibit, unreasonably restrict, or require a special permit for a single ADU in a single-family residential zoning district through M.G.L. c. 40A, § 3, otherwise known as the Dover Amendment. A Single-Family Residential Zoning District is defined as any zoning district where single-family residential dwellings are a permitted or allowable use, including any zoning district where single-family dwellings are allowed either by-right or by Special Permit.

Essentially, under state law, one ADU per lot in a single-family residential zoning district is permitted by-right (without the need for a special permit or variance) subject to the following conditions:

1. Internal, attached, and detached ADUs are not greater than 900 square feet or $\frac{1}{2}$ of the gross floor area of the principal dwelling,

whichever is smaller.

2. No owner-occupancy requirements on either the principal dwelling or ADU.

3. No unreasonable restrictions on the creation or rental of an ADU not being used as a short-term rental.

4. No use or occupancy restrictions.

5. Not more than 1 parking space is required for the ADU, and NO additional parking shall be required for an ADU within 0.5 miles from a commuter rail station, subway station, or bus stop.

Arlington Town Meeting adopted an ADU bylaw in 2021 that currently allows one ADU of up to 900 square feet or $\frac{1}{2}$ of the gross floor area of the principal dwelling, whichever is smaller, per principal dwelling unit in any Residential or Business District as an accessory use to a single-family, two-family, or duplex dwelling, subject to certain conditions, and does not require additional parking spaces. While many provisions of Arlington's existing ADU section of the bylaw comply with the new state ADU law and regulation, some parts of the bylaw require amendment in order to achieve compliance:

1. The definition for calculating Gross Floor Area has been amended to measure from the interior face, rather than exterior face, of an exterior wall, to be consistent with the State definition.
2. The purposes in Section 5.10.2.A. are amended to identify ADUs as a method for increasing housing options for smaller households of all income levels, and removes references to familial relationships, local preference, or language that may violate fair housing laws.
3. Section 5.10.2.B.(1)b) has been amended to clarify that an ADU is not subject to the large additions regulations in Section 5.4.2.B(6).
4. Section 5.10.2.B.(1)d) has been amended to require a special permit for a second ADU on a lot, as required by the state law and regulations.
5. Section 5.10.2.B.(1)e) has been amended to clarify the rules for an ADU proposed for a setback.
6. Section 5.10.2.C.(1) and Section 5.10.2.C.(2) are eliminated because they conflict with the State's prohibition on owner-occupancy requirements or use restrictions.
7. Section 5.10.2.C.(3) is an administrative

correction to correct a reference to an updated Section of the zoning bylaw.

8. Section 8.1.3.D. clarifies that creating an ADU does not impact the nonconforming status of an existing dwelling or accessory building.

The ADU bylaw will continue to ban the short-term rental of ADUs.

The Board determined that revisions to the ADU bylaw are necessary to maintain compliance with State law and regulations. These revisions were drafted after numerous conversations and discussion among DPCD staff, members of the ARB and Zoning Board of Appeals, the Inspectional Services Director, and Town Counsel.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 2, Definitions, as follows:

Accessory Dwelling Unit (ADU): A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, which may be detached, attached, or internal to the

principal dwelling.

Gross Floor Area: The sum of the horizontal areas of all stories of a building or buildings on a lot, measured from the exterior interior faces of exterior walls, or in the case of a common wall separating two buildings, from the centerline of such common wall as regulated under Section 5.3.22.

Amend Section 5.10.2. Accessory Dwelling Units, as follows:

A. Purpose. The purpose of this Section 5.10.2 includes is to allow for Accessory Dwelling Units (ADUs) to accomplish the following purposes:

(1) Increase housing production to address local and regional housing needs across all income levels and at all stages of life.

(2) Enable property owners to age in place, to downsize, or to earn supplemental income from investing in their properties.

(3) Provide a more moderately priced housing option to serve smaller households and persons of all income levels and ages.

(4) Develop small-scale infill housing that provides gentle/hidden density without detracting from the existing character of the affected neighborhoods.

(1) Promoting the use of accessory dwelling units as a means of providing Arlington property owners with an opportunity to age in place, to create independent living space for elderly, disabled or other family or household members, to downsize or to earn supplemental income from investing in their properties.

(2) Helping Arlington residents to conserve and grow their own property values.

(3) Encouraging housing for persons of all income levels and ages.

(4) Encouraging an orderly expansion of the tax base without detracting from the existing character of the affected neighborhoods.

B. Requirements

(1) In any Residential District or Business District, an An accessory dwelling unit is permitted as an accessory use to a a

principal dwelling in any Residential District, and an accessory dwelling unit is permitted as an accessory use to a principal dwelling for a any single-family dwelling, two-family dwelling, o—r and duplex dwelling in any Business district, if all of the following conditions are met:

a) An accessory dwelling unit shall be not be larger in floor area than one-half of the gross floor area of the principal dwelling or 900 square feet, whichever is smaller. For the avoidance of doubt, where an accessory dwelling unit is created by converting a portion of an existing principal dwelling to an accessory dwelling unit, the gross floor area of the resulting accessory dwelling unit shall be measured relative to the gross floor area of the resulting principal dwelling (as affected by or in connection with the conversion).

b) Any alteration causing an expansion of or addition to a building in connection with an accessory dwelling unit shall not be subject to the provisions of Section 5.4.2.B(6) if and to the extent section

5.4.2.B(6) is otherwise applicable to such alteration or addition.

c) An accessory dwelling unit shall maintain a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling, sufficient to meet the requirements of the State Building Code for safe egress.

d) ~~No more than o~~One (1) accessory dwelling unit on a lot is allowed per principal dwelling unit is permitted as of right, providing the unit complies with the requirements of this Bylaw. A second accessory dwelling unit may be allowed for a second principal dwelling on the same lot if the applicable Special Permit Granting authority, acting pursuant to Section 3.3, grants a Special Permit upon finding that the adverse effects of a second accessory dwelling unit will not outweigh the beneficial impacts to the neighborhood or town, considering the characteristics of the site and of the proposal in relating to the site, providing the second accessory dwelling unit

complies with the requirements of this Bylaw.

e) An accessory dwelling unit may be located in (i) the same building as the principal dwelling unit or as an expansion to such building; (ii) a building that is attached to the principal dwelling unit; or (iii) an accessory building that conforms to the setback requirements of this Bylaw for accessory structures in the district in which it is located., ~~which~~ An accessory building shall not constitute a principal or main building by the incorporation of the accessory dwelling unit. ~~provided that if such~~ If an accessory building is located within ~~6 feet of a lot line the setback,~~ then such accessory dwelling unit shall be allowed only if the ~~Board of Appeals applicable~~ Special Permit Granting Authority, acting pursuant to Section 3.3, grants a ~~sSpecial pPermit~~ upon its finding that the ~~creation location of~~ such accessory dwelling unit is not substantially more detrimental to the neighborhood or town than the use of such accessory building as a private

garage or other allowed use.

f) An accessory dwelling unit shall not be used as a short-term rental, in accordance with Title V, Article 18, Section 3 of the By-Laws of the Town of Arlington.

g) An accessory dwelling unit shall be subject to all applicable requirements of the State Building Code and State Fire Code (including any such requirements, if and as applicable, which prohibit openings, including windows, in exterior walls of dwellings located within a certain distance from the property line).

(2) The creation or addition of an accessory dwelling unit shall not change the zoning classification of the property in question and shall not affect any zoning relief previously obtained for such property. By way of example only (and without limitation), a single-family dwelling having an accessory dwelling unit shall continue to be classified as a single-family dwelling for single-family use under the Zoning Bylaw; a two-family dwelling having an accessory dwelling unit shall continue to

be classified as a two-family dwelling for two-family use under the Zoning Bylaw; and a duplex having an accessory dwelling unit shall continue to be classified as a duplex dwelling for duplex use under the Zoning Bylaw.

(3) No off-street parking spaces are required in connection with the creation or addition of an accessory dwelling unit.

(4) An accessory dwelling unit shall not be owned separately from the principal dwelling unit with which such accessory dwelling unit is associated.

3. Administration

~~(1) Prior to the issuance of a building permit for an accessory dwelling unit, the owner must deliver an affidavit to the building inspector stating that the owner or a family member of the owner will reside in either the principal dwelling unit or the accessory dwelling unit upon completion of the accessory dwelling unit.~~

~~(2) The creation or addition of an accessory dwelling unit to a principal dwelling unit shall not be subject to the~~

~~foregoing paragraph 5.9.2.C(1) if the principal dwelling unit and accessory dwelling unit are owned by a non-profit or governmental entity and the accessory dwelling unit is restricted as an affordable unit.~~

~~(3)~~ In the event of any conflict or inconsistency between the provisions of this Section ~~5.9~~10.2 or Section 8.1.3.D, on the one hand, and any other provisions of this Bylaw, the provisions of this Section ~~5.9~~10.2 and Section 8.1.3.D shall govern and control.

Amend Section 8.1.3. Nonconforming Single-Family or Two-Family Dwellings, as follows:

[...]

D. The creation or addition of an accessory dwelling unit ~~within an existing single-family dwelling, two-family dwelling, or duplex dwelling, or within an existing accessory building on the same lot as any such dwelling,~~ does not increase or affect

the nonconforming nature of said existing dwelling or accessory building, and shall not cause such dwelling or accessory building to become non-conforming or result in any additional dimensional requirements with respect to such dwelling or accessory building, provided that such creation or addition of an accessory dwelling unit neither expands the footprint nor the height of said dwelling or accessory building, in each case except (i) for changes necessary to provide for required egress or other modification to meet the State Building Code and State Fire Code, (ii) for any projects allowed under Section 5.3.9, and (iii) to the extent authorized by a special permit issued pursuant to clause (iii) of Section 5.10.2.B(1), fifth bullet.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 26

Warrant Article Title:

**ZONING BYLAW AMENDMENT /
TRANSPORTATION DEMAND
MANAGEMENT PLAN**

Warrant Article Text:

To see if the Town will vote to amend Section 6.1.5 Parking Reductions in Business, Industrial, and Multi-Family Residential Zones, of the Zoning Bylaw, to adjust the requirements for Transportation Demand Management plans and methods; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Currently the Zoning Board of Appeals or the Arlington Redevelopment Board may allow the reduction of the required parking for a project to 25% of the requirement if the proposed parking

is deemed adequate and if at least three Transportation Demand Management (TDM) practices as described in Section 6.1.5.C are incorporated into the project, as evidenced by provision of a TDM plan by the project proponent. This reduction in parking is allowable in the R5 to R7, Business, and Industrial zones, as well as the MBMF and NMF (Multi-Family Housing) Overlay Districts. In practice, the Redevelopment Board has found that the requirement that the TDM plan incorporate three TDM methods is impractical for projects at smaller scales, including commercial, residential, and mixed-use projects. Research indicates that smaller projects, those with less than ten residential units and less than 3,000 square feet of commercial space, have the most difficulty in meeting these requirements, as they typically lack adequate space to accommodate physical TDM methods such as providing bike parking in addition to what is required, and may have limited resources to implement programmatic TDM measures such as subsidized transit passes. Article 26 would make it more feasible for projects with fewer than 10 residential units

and less than 3,000 square feet of commercial space to qualify for a parking reduction by only requiring them to provide two, rather than three, TDM methods.

In addition, this article would add two additional TDM methods: charging stations for electric bicycles and scooters, and location near a subway station or bus stop with frequent bus service.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 6.1.5, as follows:

6.1.5 Parking Reduction in Business, Industrial, and Multi-Family Residential Zones

C. Transportation Demand Management (TDM): Any request for parking reduction must include a plan to reduce demand for parking. TDM provides incentives to reduce the use of Single Occupant Occupancy Vehicles and encourages the use of public transit, bicycling,

walking, and ridesharing. All projects requesting a parking reduction must employ provide at least three TDM methods described below, except projects with fewer than ten residential units and with less than 3,000 square feet of commercial space, which must provide at least two TDM methods described below:

- (1) Charge for parking on-site;
- (2) Pay a stipend to workers or residents without cars;
- (3) Provide preferential parking for carpooling vehicles;
- (4) Provide a guaranteed emergency ride home;
- (5) Provide transit pass subsidies;
- (6) Provide covered bicycle parking and storage, if otherwise not required;
- (7) Provide bicycle or car sharing on site;
- (8) Provide showers for business or industrial uses;
- (9) Provide charging stations for electric bicycles and scooters;
- (10) For projects with residential units, be located within a quarter-mile walk of a subway station or of a bus stop with scheduled bus service at least every 30 minutes, 7 days per week, between the hours of 6 AM and 10 PM.

(11) ~~(9)~~ Other means acceptable to the
applicable Special Permit Granting Authority.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 27

Warrant Article Title:

ZONING BYLAW AMENDMENT / DELETE INLAND WETLAND OVERLAY DISTRICT

Warrant Article Text:

To see if the Town will vote to delete Sections 4.1.2(2) and 5.8, Inland Wetland District, of the Zoning Bylaw, and adjust the numbering of subsequent sections; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Article 27 proposes to remove the Inland Wetland District (IWD) from the Zoning Bylaw, as recommended by the Redevelopment Board, the Conservation Commission, the Zoning Board of Appeals, the Department of Planning

and Community Development (DPCD), and in consultation with the Inspectional Services Department. The original intent of the IWD was to regulate land use within wetland areas in lieu of other legal protections at the time. The IWD was established before the state adopted a comprehensive Wetlands Protection Act in 1972 and Conservation Commissions were given the responsibility and authority to protect wetlands. The state wetlands protection regulations have been updated many times since to increase protections and stay current with wetlands science. In addition, the town has a wetlands protection bylaw, which provides even more protection for wetlands than does state law. Significantly, the IWD's definitions are unclear and unenforceable by Town government. Existing permitting processes address wetland protection to a fuller extent than the IWD. The development conditions set by the IWD are more comprehensively addressed by the Town at multiple points, including through the Conservation Commission and the Department of Public Works, as well as the Zoning Board of Appeals and Redevelopment Board.

Deleting the IWD will not create any gaps in wetlands protection, which is better accomplished through non-zoning means, as reflected in the Town's existing permitting processes. The responsibilities that the IWD was meant to cover are already managed by the Conservation Commission and other existing regulations:

Protection of Water Bodies: The Conservation Commission is responsible for safeguarding streams, ponds, and wetlands in Arlington. It operates under strong laws, including the Wetlands Protection Act, which provides comprehensive protection. Arlington's Conservation Commission is well-equipped and has some of the strictest regulations in the state.

Flood and Contamination Safety: The Zoning Bylaw contains a separate Floodplain District that is more effective than the IWD in protecting against flooding and contamination. The standards in this district are higher, and the Conservation

Commission has jurisdiction in these areas, ensuring thorough protection.

Groundwater Protection: The Conservation Commission also manages groundwater protection under the Wetlands Protection Act and local bylaws. Even though Arlington relies on the Massachusetts Water Resource Authority for its water supply, the Conservation Commission is the authority on protecting groundwater.

Development Near Watercourses: The IWD focuses only on streams and rivers, leaving out other important water bodies and wetlands. The Conservation Commission is responsible for overseeing any development near all types of wetlands, ensuring better protection than the IWD provides.

Watershed Conservation: While the IWD aims to conserve watershed areas, its language is vague and lacks clear standards. All of Arlington is part of the Charles River or Mystic River watersheds, and the IWD does not specify how to protect these areas

effectively.

Furthermore, the IWD is outdated, redundant, and in some cases not usable for the following reasons:

Overlapping Regulations: The IWD duplicates efforts already covered by the Conservation Commission and other regulations, which are more effective and comprehensive. As the IWD was written to function as a standalone regulatory tool it does not “talk” to existing permitting processes.

Inaccurate Definitions: The definitions in the IWD are often incorrect or inconsistent. For example, wetlands are not defined by elevation, and the IWD’s definitions conflict with established laws, leading to confusion. By itself, the IWD offers less protection.

Technical Challenges: Some terms used in the IWD, like “shallow depth to water table,” are difficult to define accurately and consistently, making it nearly impossible to

enforce. Also, although the IWD is an overlay district, it has not been mapped and does not appear on the Zoning Map, in part because of the impracticality of designating all land having a shallow depth to water table, making its use questionable.

These deficiencies demonstrate why the IWD should not stay in the bylaw as an added protective measure. The overlap in jurisdiction between various Town bodies and the Conservation Commission is potentially confusing and detrimental to overall wetlands protection efforts.

In summary, the IWD is no longer necessary for wetlands protection in Arlington and has significant problems to use. The existing regulations and the work of the Conservation Commission provide far more robust safeguards for our water bodies and surrounding areas. Removing the IWD will improve the regulatory process without compromising environmental protection.

Vote Language:

That the Zoning Bylaw be and hereby is

amended as follows:

Amend SECTION 4.1.2, Overlay Districts, as follows:

4.1.2. Overlay Districts

(1) Floodplain District

~~(2) Inland Wetland District~~

~~(3) (2) Multi-Family Housing Overlay Districts~~

Delete SECTION 5.8, Inland Wetland District, as follows:

~~5.8 INLAND WETLAND DISTRICT~~

~~5.8.1. Purpose~~

~~The purpose of Section 5.8 is to:~~

~~A. Preserve and protect the streams, water bodies, and other watercourses, including wetlands, in the Town of Arlington.~~

~~B. Protect the health and safety of persons and property against the hazards of flooding and contamination.~~

~~C. Preserve and maintain the groundwater table for potential water supply purposes.~~

D. Protect the community against the detrimental use and development of lands adjoining such watercourses.

E. Conserve the watershed areas in Arlington for the health, safety, and welfare of the public.

5.8.2. Definition

The Inland Wetland District is superimposed over any other district established by this Bylaw and includes the following areas:

A. All lands within the elevations shown on the Wetland and Floodplain Overlay Map of the Zoning Map and designated as wetlands as defined by the Massachusetts Wetlands Protection Act, G.L. c.131 §40, and the implementing regulations, 310 CMR 10.00, as well as the Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8), and the Wetland Protection Regulations (Regulations) promulgated thereunder.

These include lakes, ponds and swamps.

B. All land area along all perennial rivers, brooks, and streams as defined by the Massachusetts Wetlands Protection Act, G.L. c.131 §40, and the implementing

regulations, 310 CMR 10.00, as well as the Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8), and the Wetland Protection Regulations (Regulations) promulgated thereunder for a horizontal distance of 200 feet from the center line thereof are included in the Inland Wetland District.

C. All lands designated on the zoning map as having a shallow depth to water table. These lands are the poorly and very poorly drained mineral soils, and very poorly drained soils formed in organic deposits. Poorly drained mineral soils have a water table at or near the surface for at least 7 to 9 months during the year. The water table remains at or close to the surface of very poorly drained mineral and organic soils throughout most of the year.

5.8.3. Applicability

Any proposed use to be located within the limits of the Inland Wetland District as determined by the Building Inspector under Section 3.1 of this Bylaw shall be governed by all regulations of this Section as well as

~~all other applicable provisions of this Bylaw.~~

~~5.8.4. Permitted Uses~~

~~Municipal use, such as waterworks, pumping stations, and parks, is permitted under this section. Land in the Inland Wetland District may be used for any purpose otherwise permitted in the underlying district except that:~~

- ~~A. No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs, and the like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section 8.1.8 of this Bylaw.~~
- ~~B. Dumping, filling, excavating, or~~

~~transferring of any earth material within the district is prohibited unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued. However, this paragraph does not prohibit ordinary gardening activities in lawn or garden areas which are used for such purposes at the time this Bylaw became effective.~~

~~C. No ponds or pools shall be created or other changes in watercourses, for swimming, fishing, or other recreational uses, agricultural uses, scenic features, or drainage improvements or any other uses unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued.~~

~~5.8.5. Procedures~~

~~Applications for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority and G.L. c. 40A, as outlined in~~

~~Section 3. Such conditions shall include, where applicable, approval by the Board of Appeals, Arlington Redevelopment Board, Conservation Commission, the Massachusetts Department of Environmental Protection, and/or the Massachusetts Department of Transportation under Chapter 131 of the General Laws, acts relating to the protection of the inland wetlands of the Commonwealth.~~

~~5.8.6. Development Conditions~~

~~A. For the development of land within the Inland Wetland District, the following conditions shall apply:~~

~~(1) A minimum of six test borings to a minimum depth of eight (8) feet shall be taken; three of which shall be within the area of the proposed structure and three within 25 feet of the outside walls of the structure, but not closer than 10 feet. A report by a soil scientist or qualified engineer shall accompany the test data.~~

~~(2) The floor level of areas to be occupied by human beings as living or work space shall be four (4) feet above the seasonal high~~

water table and not subject to periodic flooding.

(3) If the basement floor level is below the seasonal high water table and affords the possibility of human occupancy at some future date, although not originally intended, adequate perimeter drainage and foundation shall be installed to withstand the effect of pressure and seepage. Furnace and utilities are to be protected from the effects of leaching.

(4) Safe and adequate means of vehicular and pedestrian passage shall be provided in the event of flooding of the lot(s) or adjacent lot(s) caused by either the overspill from water bodies or high runoff.

B. The developer shall show that the proposed development will not endanger health and safety, including safety of gas, electricity, fuel, and other utilities from breaking, leaking, short-circuiting, grounding, igniting or electrocuting; shall not obstruct or divert flood flow; substantially reduce natural floodwater storage capacity; destroy valuable habitat for wildlife; adversely affect groundwater resources or increase storm

~~water run-off velocity so that water levels on other land are substantially raised or the danger from flooding increased.~~

Renumber subsequent Sections as appropriate.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 28

Warrant Article Title:

ZONING BYLAW AMENDMENT / DEFINITION OF LOT COVERAGE

Warrant Article Text:

To see if the Town will vote to amend Section 2: Definitions, of the Zoning Bylaw, to add a new definition, Lot Coverage; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

This article was recommended by the Chair of the Zoning Board of Appeals. Throughout the Zoning Bylaw, the term "Lot Coverage" is repeatedly used when describing dimensional requirements and development standards of a lot; however, the Bylaw does not include a

definition of the term. Article 28 proposes to add a new definition to the Zoning Bylaw which would formalize the Inspectional Services Department's standard practice of applying the definition of "Building Coverage" wherever "Lot Coverage" is used. The simplest solution is to add a definition for "Lot Coverage" that refers to "Building Coverage," rather than change all references to "Lot Coverage" in the Bylaw.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 2, Definitions, as follows:

Building Coverage: The building area expressed as a percentage of the total lot area.

—
Lot Coverage: Refer to definition for Building Coverage.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 29

Warrant Article Title:

ZONING BYLAW AMENDMENT / PARKING IN RESIDENTIAL DISTRICTS

Warrant Article Text:

To see if the Town will vote to amend Section 6.1.10.A of the Zoning Bylaw, to amend and clarify standards for the location of parking in Residential districts; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

At the request of the Chair of the Zoning Board of Appeals (ZBA), Article 29 proposes revisions to Section 6.1.10.A, Parking in Residential Districts, to increase readability, provide new guidance on dimensional standards for required

vegetated buffers for side yard driveways and proximity of driveways to intersections, and clarify the required finding to allow second driveways for one- to three-family dwellings in the R0, R1, R2, R3 and R4 districts. Article 29 primarily reorganizes and reformats the existing text for clarity and ease of reference, while adding two new dimensional requirements:

- (1) a driveway cannot be closer than 20 feet to an intersection, except by Special Permit; and
- (2) the required vegetated buffer for side yard driveways when abutting a residential lot shall be a minimum of 2.5 feet in width, or 1.5 feet in width with a minimum height of 4 feet, except as excluded by Section 5.3.12.B – Traffic Visibility for Driveways.

Proposed amendments to Section 6.1.10.A.

- (2) clarify the conditions under which a second driveway may be allowed, including the requirement that the safety of motorists, pedestrians, and bicyclists must be considered, and the requirement to preserve Protected Trees as defined in Town Bylaws.

Also proposed is a new, non-exclusive list of factors focused on traffic circulation and safety for the ZBA to consider when rendering a decision on second driveways.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 6.1.10, Location of Parking Spaces, Subsection A, as follows:

A. Parking in Residential Districts.

(1) For single-family, two-family, duplex, and three-family dwellings in all Residential Districts:

a) Required off-street parking spaces shall not be permitted in the area between the front lot line and the minimum front setback except on a driveway not exceeding 20 feet in width leading to the required parking space(s) that on a corner lot of less than 6,000 square feet the required off-street parking spaces are permitted in the longer of the two front

yards, up to a maximum of 24 feet in width.

–
b) Off-Required off-street parking spaces are is permitted in (1) the side yard and rear yard on a paved driveway area, or in the case of a corner lot of less than 6,000 square feet in the longer of the two front yards, up to a maximum of 24 feet in width, or (2) in an attached or detached garage, or (3) and in a garage located within the foundation of a dwelling provided the garaging garage is specifically designed for that purpose.

–
c) Parking spaces in addition to those required by Section 6.1.4 of this Bylaw are allowed on a paved driveway meeting the requirements of this Section 6.1.10.A. and in a garage specifically designed for that purpose.

–
d) A driveway leading to off-street parking cannot exceed 20 feet in width. A driveway leading to off-street parking cannot be closer than 20 feet to an intersection,

except by Special Permit. Any Further, a driveway leading to off-street parking on a lot cannot exceed a 15% downward slope, as measured from the farthest point from the front property line, except by Special Permit. A space designed for parking within an existing garage is determined to meet the requirements of an off-street parking space.

e) SideTo minimize visual impacts, side yards used for parking shall have a vegetated buffer when abutting a lot used for residential purposes. , to minimize visual impacts. Except as altered by Special Permit, such vegetated buffer shall be a minimum of two and one-half feet in width, or if its width is less than two and one-half feet it must have a minimum height of 4 feet, except no such buffer shall be over two and one-half feet in height above the adjacent ground within five feet of the front lot line unless it can be shown that such buffer will not restrict visibility in such a way as to hinder the safe entry of a vehicle from the driveway

to the street.

(2) For single-family, two-family, duplex, and three-family dwellings in R0, R1, R2, R3 and R4 districts:

a) not more than Only one driveway shall be is permitted on a lot unless there is a finding by the Special Permit Granting Authority for the development finds that a second driveway, or a driveway that makes more than one intersection with the street, may be added in a manner that:

i. aAvoids an undue concentration of population,

ii. aAllows adequate provision of transportation,

iii. Allows for the safety of those using the street and sidewalk, and

iv. Preserves Protected Trees as defined in Town Bylaws,

v. cConserves the value of land and buildings in the vicinity., and

vi. Does not violate any other In no case may a second driveway for a single-family, two-family, duplex, or

three-family dwelling violate any other driveway, parking, dimensional, or density regulations requirements for the district in which it is located. For single-family, two-family, duplex, and three-family dwellings in R0, R1, R2, R3, and R4 districts, not more than two driveways are permitted.

b) In making the findings required by subsection 6.1.10.A.(2)a), the Special Permit Granting Authority shall consider relevant factors that may include, among other relevant factors:

- i. The functional classification and traffic volumes on the affected street or streets;
- ii. Whether the affected street or streets are one-way or two-way;
- iii. Proximity to signalized or unsignalized intersections;
- iv. Sight lines;
- v. Potential conflicts with others using the street and sidewalk; and
- vi. The presence of children or others who may be unable to protect

themselves from roadway dangers.

—
c) No more than two driveways are permitted on a lot.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 30

Warrant Article Title:

ZONING BYLAW AMENDMENT / SCREENING AND BUFFER REQUIREMENTS

Warrant Article Text:

To see if the Town will vote to remove duplicate material by combining Section 5.3.7 and 5.3.21 of the Zoning Bylaw into Section 5.3.7 and thus deleting Section 5.3.21, revise Section 5.3.7 for clarity, move a subsection to Section 5.3.13, and amend a reference in Section 5.6.2; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Article 30 proposes administrative corrections to eliminate duplications in the Zoning Bylaw

that remained following the Zoning Bylaw recodification in 2018. Sections 5.3.7 and 5.3.21 both address screening and buffering requirements, and this article proposes to combine them, while retaining Sections 5.3.7.D and 5.3.21.B which are not duplicated. No new requirements are added, nor are any requirements substantively changed. As part of this administrative correction, references made to dimensional standards for yards, setbacks, and screens or buffers in other parts of the Bylaw are also amended for clarification.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.3.7, Screening and Buffers, as follows:

5.3.7. Screening and Buffers: Industrial and Business Districts and Parking Lots

A. Screening and space buffers shall be required in any Industrial (I) or Business (B) district that abuts ~~certain~~ buildable residential lots. The minimum width of the buffer shall be as follows:

I or B	Abutting R	Minimum
--------	------------	---------

District	District	Buffer
I, B5	R0 through	25 ft.
B3, B2A,	R5	15 ft.
B4	R0 through	10 ft.
I	R5	10 ft.
B1, B2	R6 through	
	R7	
	R0 through	
	R5	

(1) The strip buffer shall contain a screen of plantings not less than three feet wide and six feet high at the time of occupancy of such lot.

(2) Individual shrubs or trees shall be planted not more than 20 feet on center and shall be maintained by the owner or occupants so as to maintain a dense screen year-round. At least 50 percent of the plantings shall consist of evenly-spaced evergreens and they shall be evenly spaced.

(3) A solid wall or solid wooden fence, five to six feet high, complemented by suitable plantings, may be substituted for one-half the required width of such

landscaped buffer strip; however, provisions of this section shall not supersede the minimum setbacks for parking lots per Section 6.1 nor the minimum yard requirements of the district. No screen shall be closer than 10 feet to a public or private way. Where deemed appropriate by the property owner and immediate abutters, and as approved by the Building Inspector, another wall or fence height or fence type, including but not limited to coated chain link or “wrought iron” types may be substituted for the required wall or fence.

(4) No screen shall be closer than 10 feet to a public or private way.

(5) The requirements of this Section 5.3.7.A. shall not supersede the minimum setbacks for parking lots per Section 6.1 nor the minimum yard requirements of the applicable I or B district.

(6) For any area used for the parking of more than five vehicles, the requirements of this Section 5.3.7.A. shall not supersede the screening provisions of Section 6.1, Off-Street Parking.

~~B. For any area used for the parking of more than five vehicles, the screening provisions of Section 6.1, Off-Street Parking and Loading, shall apply.~~

~~C. Screening and space buffers shall not be required where abutting railroad track or railroad right-of-way if railroad is to be utilized for loading or unloading.~~

~~B.D.~~ In Industrial Districts, screening along the Minuteman Bikeway shall be limited to a vegetative screen, guardrail, and/or low fence under 4 feet in height only. Such screening shall either have gaps or vary in height to provide lines of sight from the Minuteman Bikeway to the adjoining property to promote safety for pedestrians and bicyclists. Pedestrian amenities such as seating, bins for recycling and refuse collection, and appropriate supplementary lighting shall be integrated within the landscaped area of the buffer.

Amend SECTION 5.3.13, Accessory Buildings and Other Structures, as follows:
5.3.13. Accessory Buildings and Other Structures

B. An accessory building attached to the

principal building shall be considered as an integral part thereof and shall be subject to front, side, and rear yard requirements applicable to the principal building per Section 5.4.2.

(1) In Residence Residential districts, a minor accessory building shall be exempt from side and rear yard requirements if said building dimensions result in a gross floor area of not more than 80 square feet and a building height of not more than 7 feet.

(4) An accessory private swimming pool shall be completely enclosed by a fence the top of which shall be at least 5 feet in height above the pool, having a self-closing gate with a latch. Above-ground pools may be unfenced if they are less than 24 inches in depth or with walls 4 feet or greater in height and removable. The unnumbered side of a corner lot shall be considered as a side yard for the purposes of establishing minimum setback requirements for accessory private swimming pools in all Residence Residential districts. See Section 5.4.2.(A)

District Yard and Open Space Requirements.

C. In Business and Industrial districts, accessory structures must comply with the minimum yard, maximum height, and minimum open space requirements of the district in which they are located.

Delete SECTION 5.3.21, Supplemental Requirements in the Business and Industrial Districts, as follows:

~~5.3.21. Supplemental Requirements in the Business and Industrial Districts~~

~~A. Screening and Buffers: Industrial and Business Districts and Parking Lots~~

~~(1) Screening and space buffers shall be required in any Industrial (I) or Business (B) district that abuts certain buildable residential lots. The minimum width of the buffer shall be as follows:~~

I or B District	Abutting R District
Minimum Buffer	
I, B5	R0 through R5
25 ft.	
B3, B2A, B4	R0 through
R5	15 ft.
I	R6 through R7

10 ft. _____

B1, B2 _____

R0 through _____

R5 _____ 10 ft. _____

—

The strip shall contain a screen of plantings of vertical habit not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs or trees shall be planted not more than 20 feet on center, and shall thereafter be maintained by the owner or occupants to maintain a dense screen year-round. At least 50% of the plantings shall consist of evergreens and they shall be evenly spaced. A solid wall or solid wooden fence, five to six feet in height, complemented by suitable plantings, may be substituted for one-half the required width of such landscaped buffer strip; however, provisions of this section shall not supersede the minimum setbacks for parking lots per Section 6.1 nor the minimum yard requirements of Sections 5.5 and 5.6. No screen shall be closer than 10 feet to a public or private way. Where deemed appropriate by the property owner and immediate abutters, and as approved by the building inspector, another wall or fence height or fence type, including but not

~~limited to coated chain link or “wrought iron” types may be substituted for the required wall or fence. See Section 5.3.7 for screening and buffer requirements for Business districts, Industrial districts, and parking lots.~~

~~(2) For any area used for the parking of more than five vehicles, the screening provisions of Section 6.1, Off-Street Parking, shall apply.~~

~~B. Accessory Structures. Accessory structures must comply with the minimum yard, maximum height, and minimum open space requirements of the district in which they are located.~~

~~C. Minimum side and rear yards in Industrial Districts and minimum front, side, and rear yard are not required when abutting railroad track or railroad right-of-way if railroad is utilized for loading or unloading.~~

Amend SECTION 5.6.2, Dimensional and Density Regulations, Subsection D, as follows:

5.6.2. Dimensional and Density Regulations

D. Development Standards. In the Industrial District, the following requirements apply to all new development or additions over 50% of the existing footprint:

(2) Yards

- Where feasible, the principal façade of the principal building on the site shall be no more than 10 feet from the front lot line.

- The use of rain gardens, bioswales, and wetlands restoration to control runoff and manage stormwater on-site within setbacks is strongly encouraged. Such systems shall be integrated with the surface water drainage systems in Section 3.4.4.E. See Section 6.1.11.F(3) for relationship to parking areas.

- Fences greater than 4 feet tall within the abutting setback to the Minuteman Bikeway shall be prohibited. See Section 5.3.7.DB. for additional requirements.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 31

Warrant Article Title:

**ZONING BYLAW AMENDMENT /
REDEVELOPMENT BOARD JURISDICTION**

Warrant Article Text:

To see if the Town will vote to amend Section 3.4.2 of the Zoning Bylaw, to revise the special permit and environmental design review applicability for certain properties abutting the Minuteman Bikeway; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

In 2024, two applications were filed with the Department of Planning and Community Development for Environmental Design Review to add dormers to a single-family home and a

two-family home, as both were located along the Minuteman Bikeway. Under Section 3.4.2 of the Zoning Bylaw, any alterations to the façade of a building in a manner that affects the architectural integrity of the structure on certain residential properties abutting the Minuteman Bikeway require review and approval by the Arlington Redevelopment Board. However, the ARB does not typically review low-density residential development, so in consultation with the Chair of the Zoning Board of Appeals (ZBA), Article 31 proposes to remove single-family, two-family, and duplex properties in a R1 or R2 zoning district along the Minuteman Bikeway from the ARB's jurisdiction and place them within the ZBA's jurisdiction. This change would benefit impacted property owners who undertake certain types of renovation projects. Where additional relief from the Zoning Bylaw is required (such as for a large addition, or to build a porch that extends into the minimum yard regulations beyond what is allowed by right), owners of a single-family, two-family, or duplex dwelling along the Minuteman Bikeway would be able to apply to the ZBA for a hearing. This would streamline the process of obtaining

all the relief needed for a residential renovation project, and it would allow the ZBA, which has expertise in low-density residential projects, to have appropriate jurisdiction over such projects.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 3.4.2, Environmental Design Review, Subsection A, as follows:

3.4.2. Applicability

In any instance where a new structure, or a new outdoor use, or an exterior addition or a change in use (a) requires a building permit and special permit in accordance with use regulations for the applicable district or (b) alters the façade in a manner that affects the architectural integrity of the structure, and (c) is one of the uses listed in subparagraphs A through I below, the special permit shall be acted upon by the Arlington Redevelopment Board in accordance with the environmental design review procedures and standards of this Section 3.4.

A. Construction or reconstruction on a site abutting any of the following:

(1) Massachusetts Avenue, Pleasant Street, Mystic and Medford Streets between Massachusetts Avenue and Chestnut Street, ~~or~~ Broadway, or the Minuteman Bikeway.

(2) The Minuteman Bikeway, unless the site is located in a R1 or R2 district and concerns a single-family, two-family or duplex dwelling, where the applicable Special Permit Granting Authority shall be the Zoning Board of Appeals.

Additional Materials:
Redevelopment Board Report



Town of Arlington, Massachusetts

Article 32

Warrant Article Title:

**ZONING BYLAW AMENDMENT / REZONE
B1 PARCELS**

Warrant Article Text:

To see if the Town will vote to amend Section 5.5 Business Districts, of the Zoning Bylaw, to rezone certain parcels in the B1 Neighborhood Office Business District to B2A Major Business District; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Article 32 proposes to rezone parcels currently zoned B1 Business Neighborhood District as B2A Major Business, which would allow for a wider range of commercial uses as well as taller height and increased floor area ratio, providing greater flexibility for property owners seeking to

redevelop their property, especially for mixed-use development. The B1 district is used inconsistently throughout Arlington and allows only a limited number of uses in a way that is overly restrictive and is no longer aligned with the needs of the community and development priorities in the Town. The widening of the range of commercial uses in the B2A zoning district will hopefully lead to development and investment that will expand the commercial tax base. 111 parcels are currently zoned B1, running mostly along Mass Ave from the border with Cambridge to the border with Lexington and representing 22% of Arlington's Business Districts. All affected property owners and abutters were notified by first-class mail.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend Section 5.5 Business Districts, as follows:

5.5.1 Districts and Purposes

The Town of Arlington has established six business districts to provide for goods and services and employment opportunities in a

variety of settings. The boundaries of the districts are as shown on the Zoning Map.

C. B2A: Major Business District. The B2A district is predominantly located along Massachusetts Avenue, Mill Street, Summer Street, and Broadway. These areas generally contain retail and service uses that serve the needs of a large neighborhood area. Customers generally may arrive by car, so the Town wants to ensure that ample parking is available to serve the retailer. Mixed-use buildings are allowed in this district, as is medium-density housing due to the district's proximity to residential uses. Specifically prohibited uses include (but are not limited to) automotive uses, some office uses, and wholesale business and storage uses.

5.5.3 Use Regulations for Business Districts

Class of Use	B1	B2	B2A	B3	B4	B5
Institutional, Educational						
Community center, youth club, adult education center, or similar facility operated by a non-profit institution (<i>Note: See Section 3.5 if use is for educational or religious purposes.</i>)	SP	SP	<u>SP</u>	SP		SP

A list of the parcels to be rezoned is below.

Excerpts of the Use Tables comparing the B1 and B2A Districts are hereto attached as [Exhibit](#)

[“A”](#) on page [48](#).

PARCELS ZONED B1

Full Address	GIS SqFt	Landuse Description	Parcel ID
7 AVON PL	4,040	101 - One Family	10-2-3.B
8-10 AVON PL	7,129	104 - Two Family	10-3-12
0LOT BACON ST	3,267	962 - Other	51-1-3
0LOT CENTRAL ST	15,090	900 - U.S. Govt.	51-4-2
6 CENTRAL ST	1,603	101 - One Family	51-1-6
7 CENTRAL ST	14,444	340 - Office	51-4-1
8-10 CENTRAL ST	5,917	109 - Multi-House	51-1-5
1 CHESTNUT ST	13,145	340 - Office	45-2-5
5 CHESTNUT ST	11,853	355 - Funeral	45-2-4
9 CHESTNUT ST	8,006	342 - Pro-Office	45-2-3
13-15 CHESTNUT ST	8,836	102 - Condo	45.A-2-13 / 45.A-2-15
17 CHESTNUT ST	9,147	013 - Res. / Comm.	45-2-1
0LOT COURT ST	4,862	337 - Parking Lot	50-6-8
9 COURT ST	6,917	340 - Office	50-6-7
10 COURT ST	27,686	900 - U.S. Govt.	51-4-9
5 FOREST ST	11,178	316 - Comm. Whs.	57-2-13
8-10 HENDERSON ST	5,597	105 - Three Fam.	23-3-11
4-6 LANCASTER RD	3,428	104 - Two Family	174-2-12.A
0LOT MASS AVE	3,426	132 - Undevelopable Land	23-5-7
0LOT MASS AVE	1,281	930 - Vacant, Municipal	62-1-3
0LOT MASS AVE	11,176	337 - Parking Lot	124-1-2
43-45 MASS AVE	5,258	111 - Apts. 4-8	23-5-6
48-50 MASS AVE	4,659	104 - Two Family	1-3-3
58-60 MASS AVE	5,121	013 - Res. / Comm.	1-3-1
63 MASS AVE	3,983	340 - Office	23-3-12
67 MASS AVE	3,993	104 - Two Family	23-3-13
70-72 MASS AVE	5,261	031 - Comm. / Res.	1-2-4
71-73 MASS AVE	5,551	013 - Res. / Comm.	23-3-14
77 MASS AVE	6,109	109 - Multi-House	23-3-15
89 MASS AVE	4,964	340 - Office	23-1-14
221 MASS AVE	5,081	104 - Two Family	28-3-9
223 MASS AVE	5,200	340 - Office	28-3-10
226 MASS AVE	12,103	031 - Comm. / Res.	6-2-3.A
251 MASS AVE	5,638	102 - Condo	29.A-3-11.1 / 29.A-3-11.2
255 MASS AVE	6,423	111 - Apts. 4-8	29-3-12.A
259 MASS AVE	8,207	343 - Condo-Comm	29.A-3-13.A / 29.A-3-13.B / 29.A-3-13.C / 29.A-3-13.D
286 MASS AVE	5,302	105 - Three Fam.	8-1-5.B
288 MASS AVE	5,403	104 - Two Family	8-1-5.A
290 MASS AVE	14,285	013 - Res. / Comm.	8-1-4
292 MASS AVE	8,521	031 - Comm. / Res.	8-1-3

Full Address	GIS Sq Ft	Land Use Description	Parcel ID
294-298 MASS AVE	9,433	013 - Res. / Comm.	9-1-2
305 MASS AVE	6,673	101 - One Family	29-1-3
310 MASS AVE	7,695	102 - Condo	9.A-2-24.1 / 9.A-2-24.2 / 9.A-2-24.3
311 MASS AVE	6,448	101 - One Family	31-5-18
314 MASS AVE	7,027	109 - Multi-House	9-2-23
315-317 MASS AVE	5,729	104 - Two Family	31-5-19
319 MASS AVE	4,815	340 - Office	31-5-1
325-327 MASS AVE	5,184	105 - Three Fam.	31-3-13
355 MASS AVE	9,616	013 - Res. / Comm.	31-1-14.A
358 MASS AVE	3,949	013 - Res. / Comm.	9-2-5
360 MASS AVE	4,269	013 - Res. / Comm.	9-2-4
361 MASS AVE	11,342	031 - Comm. / Res.	31-1-1.A
370 MASS AVE	9,534	954 - Funct. Hall	10-4-3
373-375 MASS AVE	5,036	013 - Res. / Comm.	32-2-18
374 MASS AVE	8,715	102 - Condo	10.A-4-2 / 10.A-4-3 / 10.A-4-4 / 10.A-4-5
378 MASS AVE	8,009	013 - Res. / Comm.	10-4-1.A
390 MASS AVE	10,149	031 - Comm. / Res.	10-3-1
400-402 MASS AVE	4,194	031 - Comm. / Res.	10-2-3.A
404 MASS AVE	5,823	105 - Three Fam.	10-2-2
406 MASS AVE	6,002	031 - Comm. / Res.	10-2-1
418 MASS AVE	10,209	355 - Funeral	10-1-7
734-736 MASS AVE	6,284	013 - Res. / Comm.	124-2-9
735 MASS AVE	9,159	960 - Church	51-1-8
742 MASS AVE	9,547	031 - Comm. / Res.	124-2-8
754 MASS AVE	9,616	340 - Office	124-2-7
792 MASS AVE	9,075	340 - Office	124-1-3
800 MASS AVE	5,097	340 - Office	124-1-1
1007 MASS AVE	15,174	935 - Improved-Mun	55-2-15
1011 MASS AVE	4,695	105 - Three Fam.	55-2-16
1013R MASS AVE	4,488	101 - One Family	55-2-17
1017 MASS AVE	8,120	104 - Two Family	55-2-18
1025 MASS AVE	47,085	112 - Apts. 8 Plus	55-2-20
1087-1089 MASS AVE	8,031	105 - Three Fam.	56-2-7
1090 MASS AVE	6,450	013 - Res. / Comm.	148-4-4
1122 MASS AVE	7,245	013 - Res. / Comm.	148-3-2
1145 MASS AVE	8,258	355 - Funeral	57-2-18
1171 MASS AVE	11,378	031 - Comm. / Res.	57-2-15.A
1173 MASS AVE	3,998	105 - Three Fam.	57-2-15.B
1471 MASS AVE	2,457	105 - Three Fam.	62-1-2
1491-1493 MASS AVE	5,484	104 - Two Family	62-1-3.B
1497 MASS AVE	3,206	101 - One Family	62-1-6
1500-1502 MASS AVE	7,611	013 - Res. / Comm.	174-2-9
1501 MASS AVE	2,954	101 - One Family	62-1-7
1507-1511 MASS AVE	8,254	013 - Res. / Comm.	62-1-8
1508-1510 MASS AVE		326 - Restaurant	174-2-11.A

Full Address	GIS Sq Ft	Landuse Description	Parcel ID
1513-1515 MASS AVE	4,059	104 - Two Family	62-1-10
1516 MASS AVE	5,080	101 - One Family	174-1-6
1517-1519 MASS AVE	4,679	106 - Accessory Land	62-1-11.A
1520 MASS AVE	5,171	013 - Res. / Comm.	174-1-5
1521-1523 MASS AVE	4,808	104 - Two Family	62-1-12.A
1530 MASS AVE	7,006	104 - Two Family	174-1-3
0LOT MEDFORD ST	1,188	132 - Undevelopable Land	46-1-14
58-60 MEDFORD ST	10,802	340 - Office	46-1-13
7-9 PALMER ST	6,213	111 - Apts. 4-8	31-1-2
22 PLEASANT ST	8,443	102 - Condo	11.A-2-1
40 PLEASANT ST	4,468	102 - Condo	11.A-4-40.1 / 11.A-4-40.2
42 PLEASANT ST	4,468	343 - Condo-Comm	11.A-4-42.A
10 POND LN	3,107	101 - One Family	10-4-1.B
0LOT QUINN RD	9,593	337 - Parking Lot	57-2-19
2 SWAN ST	8,443	102 - Condo	11.A-2-2
4 SWAN ST	8,443	102 - Condo	11.A-2-3
5 SWAN ST	4,792	102 - Condo	11-4-2.B
7 SWAN ST	4,792	102 - Condo	11-4-2.A
10 SWAN ST	7,385	102 - Condo	11.A-2-10.1 / 11.A-2-10.2
13 SWAN ST	4,296	102 - Condo	11.A-4-13
15 SWAN ST	4,296	102 - Condo	11.A-4-15
16 SWAN ST	4,663	111 - Apts. 4-8	11-2-10.A
6-8 WATER ST	5,966	105 - Three Fam.	50-6-3
12 WATER ST	6,272	102 - Condo	50.A-6-12.1 / 50.A-6-12.2 / 50.A-6-12.3
6 WHITTEMORE ST	4,272	102 - Condo	10-2-15.A
8 WHITTEMORE ST	4,272	102 - Condo	10-2-15.B

Additional Materials:
Redevelopment Board Report



Town of Arlington, Massachusetts

Article 33

Warrant Article Title:

ZONING BYLAW AMENDMENT / ZONING MAP ADOPTION FOR B1 REZONING

Warrant Article Text:

To see if the Town will vote to adopt changes to the Zoning Map that would rezone certain parcels in the B1 Neighborhood Office Business District to B2A Major Business District; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Article 33 proposes to adopt the changes to the Zoning Map that are required to meet the terms of Article 32.

NOTE FROM TOWN CLERK: The ARB Report contains two maps showing the parcels

included in the proposed change. In the paper report they are pages 30-31. They are linked below under Additional Materials. Detail maps are included in the paper report as Exhibit B on pages 54-60 and linked below in Additional Materials.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Maps showing the parcels to be rezoned are below.

Additional more detailed maps, including property details and neighboring zoning districts, are attached hereto as Exhibit “B” on page 54.

Additional Materials:

Redevelopment Board Report

Parcel Maps - 2 pages

Detail Maps - 7 pages



Town of Arlington, Massachusetts

Article 34

Warrant Article Title:

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

Warrant Article Text:

To see if the Town will vote to amend Section 4.2 of the Zoning Bylaw, to reflect changes to the Zoning Map adopted by previous Town Meeting action; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Town Meeting often votes to adopt Zoning Map changes, meaning that the map is updated on a regular basis. Referring to the date of the most recent Zoning Map change in the text of the Zoning Bylaw means that the Bylaw frequently

lags a year behind the reality of changes approved by Town Meeting, resulting in incorrect information in the Zoning Bylaw about the date of the current Zoning Map. It thus necessitates that every time a map change is approved, an additional warrant article must be brought to a subsequent Town Meeting to change the date of the Zoning Map in the Bylaw, which will immediately be outdated if further map changes are adopted at that same Town Meeting. Article 34 proposes to eliminate the Bylaw's reference to a specifically dated Zoning Map, which will enable the Town to keep up-to-date Zoning Maps and make them available to the public without continually bringing warrant articles to Town Meeting to change the date. Town Counsel has confirmed that having the date in the Zoning Bylaw is not required.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 4.2, Zoning Map, as follows:

4.2 ZONING MAP

Zoning districts are shown on a map entitled "Zoning Map of the Town of Arlington, MA" and dated May 14, 2021 (the Zoning Map) on file in the Office of the Town Clerk and the Department of Planning and Community Development. The district boundaries shown on the Zoning Map, including all Overlay Districts listed in Section 4.1.2 of this bylaw, are part of this bylaw. The Zoning Map may include geographical features, streets, notations, and such other information to keep the map current and to facilitate orientation.

Additional Materials:
Redevelopment Board Report



Town of Arlington, Massachusetts

Article 35

Warrant Article Title:

ZONING BYLAW AMENDMENT / ZONING MAP ADOPTION FOR ADMINISTRATIVE CORRECTION

Warrant Article Text:

To see if the Town will vote to adopt changes to the Zoning Map, as amended by previous Town Meeting action; or take any action related thereto.

Requested by:

Inserted at the request of the Redevelopment Board

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Article 35 proposes to adopt changes to the Zoning Map, as amended by previous Town Meeting action. The Zoning Map below shows the current zoning with the most recent change approved by both Town Meeting, in May 2024, and the Attorney General, in December 2024.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend the Zoning Map included as page 34 of the Redevelopment Board Report.

Additional Materials:

Redevelopment Board Report

Zoning Map



Town of Arlington, Massachusetts

Article 36

Warrant Article Title:

ZONING BYLAW AMENDMENT / NO NET LOSS OF COMMERCIAL SPACE FOR LOCAL BUSINESS

Warrant Article Text:

To see if the Town will vote to amend the Zoning Bylaw in Section 5.5.2.B, to set a required minimum floor area percentage for permitted non-residential principal uses in mixed use developments; or take any action related thereto.

Requested by:

Inserted at the request of Kristin Anderson and 10 registered voters

Report Excerpt:

VOTE: No Action (5-0)

DISCUSSION

Article 36 would add a provision to the Zoning Bylaw to require that new construction or redevelopment of mixed-use buildings in business contain a certain amount of

commercial space. The Board appreciated the intent of the petitioners and their willingness to incorporate feedback throughout the warrant article review process, but found that the proposed bylaw amendment had insurmountable technical and policy problems. It was too restrictive and could not be successfully implemented as proposed.

Moreover, if enacted it might inadvertently incentivize new mixed-use development that is fewer stories than desirable to avoid specific proposed requirements or discourage ground floor accessible residential units from being built. Several members stated that owners would find it challenging to meet such rigid requirements, and these requirements would also make it difficult for the Board to exercise discretion and be flexible in working with property owners in the development of their properties, many of which have unique challenges. One member stated that demand for upper-story commercial space may not be as well-established as anticipated by this Article.

Other concerns raised by the Board members included the scope of the main motion as

compared to the warrant article language that was submitted, a general lack of clarity about how the requirements would be applied to mixed-use projects, and contradictory language about applicability. Several members stressed that it would be difficult for every project to devote the same set minimum percentage of the entire footprint to commercial uses because each parcel and proposed building is unique. The Board also expressed concern about how this article would apply to the redevelopment of properties zoned as business that are currently in residential use. If a multi-family building in a business zone were to be redeveloped, this article might require that the ground floor be converted to commercial space, which means that residential units currently on the ground floor would be lost.

Vote Language:

That no action be taken on Article 36

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 37

Warrant Article Title:

ZONING BYLAW AMENDMENT / MULTI-FAMILY PARKING REDUCTION

Warrant Article Text:

To see if the Town will vote to amend Section 6 of the Zoning Bylaw to provide additional options for reducing parking requirements in multi-family residential developments and add a definition and standards for cargo bicycle parking; or take any action related thereto.

Requested by:

Inserted at the request of Vincent Baudoin and 10 registered voters

Report Excerpt:

VOTE: No Action (5-0)

DISCUSSION

Article 37 proposed to expand the options available to developers of multi-family housing to reduce the amount of required parking without having to seek a special permit. This

proposal would create standards for cargo bicycle parking, and it includes a provision that would allow the use of on-street parking spaces located within 1,000 feet of the multi-family development to meet parking requirements.

The Board members support the addition of standards for cargo bicycle parking and including it as a Transportation Demand Management (TDM) measure. The Board was concerned about the proposal to allow On-Street Parking to satisfy parking requirements. Although the Select Board recently approved making the overnight parking pilot program permanent, the proposed wording for the parking reduction does not conform to an overnight on-street parking permit program. Also, the Board felt that it was premature to proceed until they had information on how the new overnight parking program is being structured. There is additional concern about the limited number of on-street parking permits available, keeping track of on-street parking permits for subsequent multi-family developments, and the impacts of parking bans during snow emergencies. The Board was

hesitant to significantly reduce parking requirements for residential developments until they have more time to discuss the impacts and alignment with the Town-wide overnight parking program provisions, and they agreed to review it in 2026.

Vote Language:

That no action be taken on Article 37.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 38

Warrant Article Title:

**ZONING BYLAW AMENDMENT / USE
REGULATIONS FOR RESIDENTIAL
DISTRICTS**

Warrant Article Text:

To see if the Town will vote to amend the Zoning Bylaw Section 2 Definitions and Section 5 District Regulations to allow additional business uses in residential districts; or take any action related thereto.

Requested by:

Inserted at the request of Andrew S. Greenspon and 10 registered voters

Report Excerpt:

VOTE: No Action (4-1, Mr. Revilak dissented)

DISCUSSION

Article 38 proposed to allow some new commercial uses by right in residential districts (R3, R4, R5, R6, and R7). It also encouraged entrepreneurship by allowing newly formed

businesses to start off in homes without facing the need to pay for expensive commercial space. Lastly, it offered a new use definition for neighborhood artistic/creative production.

The Board members stated that they appreciated the intent and flexibility of the petitioner during the process to bring this article to Town Meeting. Article 38 went through several iterations based on prior feedback from the Board. The revised article concentrated on residential parcels already abutting or located near the business district and other commercial uses. This was an intentional shift away from relaxing home occupation standards in Section 5.10.1 of the Zoning Bylaw, which has often been identified as a potential zoning reform. In limiting the proposal, the focus changed to expanding commercial opportunities in some residential districts. One member described the Article as a small and incremental change for neighborhoods that could make a significant difference to the 26% of residents who work from home in Arlington. According to the petitioner's research, there are approximately 1,900 parcels in the R3-R7 districts, or 15% of

total parcels.

Members had a number of concerns. These included the understudied impacts on infrastructure, particularly sewer capacity, from introducing new uses like restaurants and catering businesses in residential districts. One Board member noted that the proposed changes would make uses by right in residential districts that are only allowed by Special Permit in some business districts and noted that two rows of the Office Uses table could be combined, as proposed by the Article. Several members also noted that the revised Article would still not allow for some potentially beneficial commercial uses in neighborhoods, such as corner stores. Some noted that the proposal could result in the loss of residential property as residential buildings were converted to commercial use, and expressed their disappointment with that potential “trade-off” of residential units for the new business uses.

Several members brought up concerns they had previously expressed to the petitioner, including the number of employees allowed per business and other potential amendments to expand

business uses in the residential district (such as adding occupations as a residential accessory use, or revising Section 5.10.1). Overall, the Board felt that the Article would not address some of the most significant issues preventing the expansion of commercial opportunities in Arlington and was overly broad.

The dissenting member of the Board felt that the R3-R7 districts were appropriately located for the type and scale of business uses proposed.

Vote Language:

That no action be taken on Article 38.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 39

Warrant Article Title:

ZONING BYLAW AMENDMENT / 17 PALMER STREET TO THE MBTA NEIGHBORHOOD DISTRICT

Warrant Article Text:

To see if the Town will vote to add the Address of 17 Palmer St., zoned R2 Residential Two-Family, to the Neighborhood Multi-Family (NMF) Housing Overlay District; or take any action related thereto.

Requested by:

Inserted at the request of John E. Heraty and 10 registered voters

Report Excerpt:

VOTE: Favorable Action (5-0)

DISCUSSION

Article 39, filed by the owner of 17 Palmer Street, proposes to rezone 17 Palmer Street to be included in the Neighborhood Multi-Family (NMF) Housing Overlay District. Many of the properties near 17 Palmer Street are already

included in the NMF district, including an abutting property. Increasing housing is a goal of the Town, and rezoning this property would allow the owner to add additional residential units to the property. The location between Broadway and Mass Ave is appropriate for denser development. The Board believes that 17 Palmer Street is an appropriate addition to the NMF district. All notification requirements in Section 1.5 of the Zoning Bylaw have been met.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend the MBTA Communities Overlay District Parcel List for the Neighborhood Multi-Family (NMF) Subdistrict as follows:

- Add a row to the Parcel List table to include the property at 17 Palmer Street; so that said row reads as follows:

Address
Owner
Existing Use Codes
Existing Use Description
Parcel Acres
Parcel Square Footage

17 Palmer St.
Heraty, John E./ Kielty Real Estate Trust

105
Three-Family Residential
0.15324
6,675

Amend the Zoning Map as follows:

A map showing the parcel to be rezoned is below.

Additional Materials:

Redevelopment Board

Map of Proposed Changes to NMF Subdistrict



Town of Arlington, Massachusetts

Article 40

Warrant Article Title:

ZONING BYLAW AMENDMENT / TWO-FAMILY CONSTRUCTION ALLOWED BY RIGHT IN R0 AND R1 RESIDENTIAL ZONES

Warrant Article Text:

To see if the Town will vote to amend Section 5.4 of the Zoning Bylaw by amending definitions and expanding allowable residential uses in R0 Large Lot Single-Family District and R1 Single-Family District; or take any action related thereto.

Requested by:

Inserted at the request of David Levy and 10 registered voters

Report Excerpt:

VOTE: Favorable Action (3-2, Ms. Zsembery and Mr. Lau dissented)

DISCUSSION

Article 40 proposes to allow the construction of two-family dwellings in the R0 and R1 residential districts which currently only permit

single-family dwellings by right. In many areas, developers are already tearing down older single-family homes and rebuilding houses that are much larger, maximizing what is allowable under the dimensional restrictions of the Zoning Bylaw. If those homes could provide two units rather than just one, they would each be less expensive than a single larger house. This article would not change any of the dimensional requirements, so two-family homes could not be built any larger than single-family homes are currently allowed to be.

One member of the Board noted that the original rationale for zoning in general, dating back to the *Euclid vs. Ambler Realty* case decided by the Supreme Court in 1926, was to separate industrial uses from residential uses. But that rationale did not explain why municipalities might want to limit the number of residential units on each lot in residential districts. The Supreme Court justified that type of restriction by referring to apartment buildings as “parasites” and saying that they would destroy single-family neighborhoods. That aspect of the *Euclid* decision has been criticized

ever since it was issued. Many two-family homes are currently sprinkled throughout the R1 districts in Arlington, and they do not have a negative impact on the nearby single-family homes.

Board members noted that because this article will not change the dimensional regulations in R0 and R1 districts, it will not lead to a greater loss of green space and trees than is already allowed to happen when large single-family homes are built.

One Board member explained that a similar change has been enacted in Minneapolis and statewide in Oregon. In both places, change has happened gradually, and it will likely be gradual in Arlington as well. It has taken decades for limitations on housing to create a housing shortage, and it will likely take decades to reverse it.

One Board member noted that it is already possible to add a second unit in the R0 and R1 districts by building an accessory dwelling unit, so it is not necessary to further change the use

tables to allow for two-family and duplex dwellings.

Some Board members also expressed concern with the lack of community outreach and engagement about this article; many homeowners in the R0 and R1 districts do not know that this change has been proposed. They stated that the Board and DPCD worked hard to engage all the voices that needed to be heard in the MBTA Communities process in 2023, and those voices and unique perspectives enriched the plan that was ultimately passed. That depth and breadth of community engagement has not happened in this case. It is difficult for an individual resident to engage in that level of outreach, so it might make sense in the future for proposals that make this significant a change to come from the Board, which can use the resources of Town staff to plan public meetings and engage in widespread communication. Note that because this is a proposed definition and change of use modification in the Zoning Bylaw and not a map change, no legal notice to parcel owners or abutters is required.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.4.1.A, as follows:

A. R0, R1, and R2. The R0, R1, and R2 districts are traditional residential districts. Together, these districts comprise a substantial majority of the residentially zoned land in Arlington.

(1) R0: Large Lot Single-Family Residential District. The Large Lot Single-Family Residential District has the lowest residential density of all districts and is generally served by local streets only. The Town discourages intensive land uses, uses that would detract from the single-family residential character of these neighborhoods, and uses that would otherwise interfere with the intent of this Bylaw.

(2) R1: Single-Family Residential District. The predominant uses in R1 are single-family, two-family, and duplex dwellings, and public land and buildings. The Town

discourages intensive land uses, uses that would detract from the single-family residential character of these neighborhoods, and uses that would otherwise interfere with the intent of this Bylaw.

Amend SECTION 5.4.2, Dimensional and Density Requirements, Subsection A, Tables of Dimensional and Density Regulations, as follows:

- Change the “R District Building Height and Floor Area Ratio Regulations” table; combine the rows relating to R0, R1, and R2 structures such that it includes “Single Family detached dwelling, two-family dwelling, duplex dwelling” on the first line;

so that said rows read as follows:

District Use

Maximum Height
(ft.)

Maximum height (stories)

Maximum Floor Area Ratio (FAR)

R0, R1, R2

Single Family detached dwelling, two-family dwelling, duplex dwelling

35

2 ½

R2	Other permitted structure	-----
		35
		2 ½
		0.35
	Single family detached dwelling, two family dwelling or duplex dwelling	35
		2 ½

		Other permitted structure
		35
		2 ½

		0.35

Amend SECTION 5.4.3, Use Regulations for Residential Districts, as follows:

- On line 3 of “Use Regulations for Residential Districts” table, labeled “Two-family dwelling, duplex,” add the letter “Y” under the columns labeled “R0” and “R1”;
so that said row read as follows:

Residential

Two-family dwelling, duplex	
	<u>Y</u>

Y
Y
Y
Y
Y
Y

Additional Materials:
Redevelopment Board Report



Town of Arlington, Massachusetts

Article 41

Warrant Article Title:

**ZONING BYLAW AMENDMENT /
AFFORDABLE HOUSING OVERLAY
DISTRICT**

Warrant Article Text:

To see if the Town will vote to amend its Zoning Bylaw to create an Affordable Housing Overlay District so that housing meeting certain requirements with respect to affordability may be constructed as of right (including, without limitation, amendments to Sections 2 and 5 of the Zoning Bylaw to adopt such Affordable Housing Overlay District and amendments to Sections 4.1.2 and 4.2 of the Zoning Bylaw to add reference to such Affordable Housing Overlay District}; or take any action related thereto.

Requested by:

Inserted at the request of Sanjay Newton and 10 registered voters

Report Excerpt:

VOTE: No Action (4-0, Mr. Revilak abstained)

DISCUSSION

The proponents of Article 41 have requested that this article be withdrawn or that the Redevelopment Board recommend no action. The notice to property owners and abutters required under the Zoning Bylaw was not undertaken by the article proponents.

Vote Language:

That no action be taken on Article 41.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 42

Warrant Article Title:

ZONING BYLAW AMENDMENT / AMENDMENT OF ZONING MAP TO INCLUDE AFFORDABLE HOUSING OVERLAY DISTRICT

Warrant Article Text:

To see if the Town will vote to amend its Zoning Map to include and reflect an Affordable Housing Overlay District, if such a District is approved by the Town at its 2025 Annual Town Meeting; or take any action related thereto.

Requested by:

Inserted at the request of Sanjay Newton and 10 registered voters

Report Excerpt:

VOTE: No Action (4-0, Mr. Revilak abstained)

DISCUSSION

The proponents of Article 42 have requested that this article be withdrawn or that the Redevelopment Board recommend no action. See Article 41.

Vote Language:

That no action be taken on Article 42.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 43

Warrant Article Title:

**ZONING BYLAW AMENDMENT / PUBLIC
SHADE TREES**

Warrant Article Text:

To see if the Town will vote to amend Section 6.3.4 of the Zoning Bylaw, which requires developers to plant a street tree every 25' in front of the property, to add provisions to increase the likelihood of survival of trees by requiring Tree Warden approval of chosen trees, more specific maintenance requirements, regular reports to DPCD on the health of trees planted, and planting on the private property if there is no suitable place in the public way (except for exceptional circumstances); or take any action related thereto.

Requested by:

Inserted at the request of Susan Stamps and 10 registered voters

Report Excerpt:

**VOTE: Favorable Action (4-1, Mr. Lau
dissented)**

DISCUSSION

The Arlington Zoning Bylaw currently requires that developers plant one shade tree for every 25 feet of frontage along the public way, within planting strips or sidewalk tree wells. It also says that when no suitable location along the public way is available, the developer may be required to plant trees elsewhere on the property at the discretion of the Redevelopment Board or Zoning Board of Appeals. Article 43 proposes that Section 6.3.4 be amended to require that the Tree Warden approve the choice of trees for each project, and that the property owner water and maintain the trees for a 36-month period after installation. Any trees that did not survive would have to be replaced by the owner. Article 43 further proposes that planted trees are required to have a minimum 2" caliper, and that they be maintained according to certain standards, either the USDA Forest Service Tree Owner's Manual or other standard the Board may designate.

In discussion with the article's proponent, it became clear that while the Board had some

concerns about the proposed article, most Board members were generally supportive. However, one member of the Board felt that the Zoning Bylaw currently provides adequate regulations for the planting of public shade trees and that further requirements for planting and maintenance of street trees are onerous and may hinder development so he could not support the article.

Board members discussed the need for a mechanism for enforcement of the requirement that dead and declining trees be replaced by the property owner. In cases of non-compliance, the Board may seek to reopen the special permit granted to a developer and meet to discuss the issue, or enforcement could be taken by Inspectional Services. Board members also discussed the requirement that the Tree Warden individually approve every tree species to be planted and concluded that it was necessary to ensure that appropriate tree species are planted in appropriate areas. Members were concerned that the proposal would take away the flexibility in Section 6.3.4.E of the Zoning Bylaw, which gives the Board the

authority to work with developers to determine the best option to locate trees on a particular property. The article's proponent agreed to remove proposed changes to Section 6.3.4.E.

Vote Language:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 6.3, as follows:

6.3 PUBLIC SHADE TREES

6.3.1. Purpose

The purpose of this Section 6.3 is to:

- A. Provide for adequate shade tree coverage along Arlington's main corridors;
 - B. Implement carbon neutral policies of the Town of Arlington;
 - C. Address heat island effects emanating from Arlington's ~~main corridors~~ streets and buildings;
 - D. Enhance public health and walkability with proper shading.
- [...]

6.3.4. Standards

A. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips.

B. Trees shall be selected from the approved tree list set forth by the Tree Committee and approved by the Tree Warden. The Tree Warden shall approve the choice of trees for each project.

C. When planted, trees must be a minimum height of ten (10) feet or caliper of two (2) inches in caliper.

D. All new trees shall be maintained, including watering, by the Owner, in accordance with American Standard for Nursery Stock standards the USDA Forest Service Tree Owner's Manual standards, or other standards the Redevelopment Board may designate, for a period of no less than 36 months from the date of planting., or other standards the Redevelopment Board

~~may designate.~~ Replacement trees of similar size approved by the Tree Warden are required to be planted by the Owner in the event of tree death or decline during the 36-month period. Properties in which there are preexisting public shade trees at the required spacing along the public way are exempt.
[...]

6.3.5. Computation

When computation of the number of required public shade trees results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number. The Arlington Redevelopment Board may allow the owner to make a financial contribution to the Arlington Tree Fund in an amount equivalent to the full and fair market value of the additional whole tree.

Additional Materials:
Redevelopment Board Report



Town of Arlington, Massachusetts

Article 44

Warrant Article Title:

**ZONING BYLAW AMENDMENT /
AFFORDABLE HOUSING OVERLAY
DISTRICT**

Warrant Article Text:

To see if the Town will vote to amend the Zoning Bylaw to establish an affordable housing overlay district to allow multi-family affordable housing as-of-right in any district except Industrial or Open Space; or take any action related thereto.

Requested by:

Inserted at the request of John L. Worden III and 10 registered voters

Report Excerpt:

VOTE: No Action (4-0, Mr. Revilak abstained)

DISCUSSION

The proponent of Article 44 did not submit any main motion language to the Board, so no specific amendments to the bylaw have been proposed.

The Board noted that this proposal is for an overlay district that rezones all the residential and business parcels in Arlington. The notice to property owners and abutters required under the Zoning Bylaw was not undertaken by the article proponent.

Vote Language:

That no action be taken on Article 44.

Additional Materials:

Redevelopment Board Report



Town of Arlington, Massachusetts

Article 45

Warrant Article Title:

APPROPRIATION / PEG ACCESS BUDGET

Warrant Article Text:

To see if the Town will vote to appropriate or transfer a sum or sums of money for the support of public, educational, and/or governmental ("PEG") access cable television services, said sum or sums to be provided for by the cable franchise agreements and cable licensing fees, detailed in an operational cost, building expenses, and capital expense budget, and expended under the direction of the Town Manager; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: 18-0-1

COMMENT: ACMi receives 5% of revenue derived from cable subscriptions. These are funds which formerly were transferred directly from the cable providers to the cable access

network (ACMi). However, the State has issued rules requiring these funds to be appropriated through Town Meeting. For additional information related to ACMi, please see Article 64.

Vote Language:

That the Town appropriate the cable revenues projected for Fiscal Year 2026 as follows:

2026 PEG Access Budget	Amount
Total operating revenue anticipated from cable providers:	\$568,607
Total capital revenue anticipated from cable providers:	\$98,189
Misc. Income (including membership dues, workshops interest & donations):	\$13,485
Total Revenues	\$680,281
Total Operating Expenses (including salaries and taxes)	
Salaries and Taxes:	\$399,082

Expenses:	\$183,010
Capital:	\$98,189
Total Expenses	\$680,281

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 46

Warrant Article Title:

**ENDORSEMENT OF PARKING BENEFIT
DISTRICT EXPENDITURES**

Warrant Article Text:

To see if the Town will vote to endorse the Parking Benefit District operating and capital expenditures for Fiscal Year 2025 prepared by the Town Manager and the Select Board consistent with the Town Bylaws; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

Finance Committee VOTE: 18-0-1

Finance Committee COMMENT: Any deficit will be made up from the fund balance.

Select Board VOTE: Favorable Action (5-0)

Select Board COMMENT: The Board voted to recommend favorable action on this article following a presentation on this Article from the

Town Manager, the first step in an annual process whereby these expenditures are then submitted for endorsement to the Finance Committee, Capital Planning Committee and ultimately, Town Meeting. The Town Manager informed the Board that the proposed revenues are budgeted conservatively at 85% of the prior fiscal year's collections, and future expenditures will consist of ongoing operational costs as well as one-time projects and investments using accumulated fund balance. The Board approves these proposed expenditures and recommends Town Meeting endorsement.

Vote Language:

That the Town does hereby endorse the following expenditures from the Parking Benefits District Fund:

Projected Fiscal Year 2026 Meter Revenue
\$458,344

Offset to Parking Budget \$12,800

Offset to Parking Enforcement Budget \$117,454

Parking Meter Operations \$206,260

Center and Plaza Improvements \$382,500

Projected Fiscal Year 2026 Total Expenditures
\$719,014

Additional Materials:

Select Board Report

Finance Committee Report



Town of Arlington, Massachusetts

Article 47

Warrant Article Title:

POSITIONS RECLASSIFICATION

Warrant Article Text:

To see if the Town will vote to make additions, deletions and/or modifications to the Classification and Pay Plan, appropriate a sum of money to fund same, if necessary, determine how the money will be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager and the Director of Human Resources

Report Excerpt:

VOTE: Unanimous

Vote Language:

That the Classification Plan, as established by Title 1, Article 6, Section 1, Schedule A of the By-Laws, be and hereby is amended as follows:

By Reclassifying the following positions:

A. Treasurer's Assistant	AFSCME OA5 to ATP4	FTE 1	\$4,719
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Treasurer			
B. Senior Clerk/Typist – Assessors Assessor’s Office	AFSCME OA2 to OA4	FTE 1	\$223
C. After School Instructor Recreation	MTP1 to MTP2	FTE 1	\$0
D. Environmental Planner/Conservation Agent Planning and Community Development	MTP8 to MTP9	FTE 1	\$3,052
E. CDBG Administrator Planning and Community Development	AFSCME ATP6 to ATP7	FTE 1	\$3,762
F. Assistant Director of Public Works Department of Public Works	MTP12 to MTP13	FTE 1	\$0

And that the sum of \$11,756 be and hereby is appropriated as indicated above, said sum to be

raised by general tax and included in the budgets of the departments affected.

By Adding the following positions:

A. Office Manager – Treasurer Treasurer’s Office	AFSCME ATP4
B. Office Assistant Assessor’s Office	AFSCME OA4
C. Site Coordinator –After School Recreation	MTP2
D. Director of Recreation and Community Programming Recreation	M2
E. Assistant Director of Public Health Health and Human Services	MTP8
F. Community Resource Coordinator Health and Human Services	MTP5
G. Billing Manager – AYCC Health and Human Services – AYCC	AFSCME ATP5
H. Office Assistant – HHS Health and Human Services	OA3
I. HR Generalist Human Resources	MTP3
J. Assistant Head of Circulation – Libraries Libraries	AFSCME ATP5

By Deleting the following positions:

A. Treasurers Assistant Treasurer’s Office	AFSCME OA5
B. Senior Clerk/Typist Assessors Assessor’s Office	AFSCME OA2
C. After School Instructor Recreation	MTP1
D. Director of Recreation	

Recreation	M1
E. Homeless Outreach Coordinator Health and Human Services	MTP5
F. Public Health Compliance Officer Health and Human Services	MTP 8
G. Administrative Assistant/Billing Agent – AYCC Health and Human Services	AFSCME ATP5
H. Receptionist – HHS Health and Human Services	OA3
I. Benefits Accountant - HR Human Resources	OA6
J. School Sustainability Coordinator Department of Public Works	MTP6
K. Equipment Operator III – Crane	

Department of Public Works	MC6
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Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 48

Warrant Article Title:

AMENDMENTS TO FY25 BUDGETS

Warrant Article Text:

To see if the Town will vote to appropriate and/or transfer funds between the FY2025 budget and appropriations and the long-term stabilization fund or other available funds as previously voted upon by the 2024 Annual Town Meeting; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Unanimous

COMMENT: No such transfers are required at this time.

Vote Language:

That no action be taken under this Article.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 49

Warrant Article Title:

APPROPRIATION / TOWN BUDGETS

Warrant Article Text:

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended; or take any action related thereto: Finance Committee, Select Board, Town Manager, Human Resources, Comptroller, Information Technology, Town Treasurer and Collector of Taxes, Assessors, Legal and Workers' Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Facilities,

Cemeteries, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Elections, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans' Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

Requested by:

Inserted by the Select Board and at the request of the Town Manager

Report Excerpt:

The Finance Committee recommends that the sums be appropriated to defray obligations, outlays, and expenses for the Fiscal Year ending June 30, 2026 to be raised by general tax except as otherwise specifically voted, and expended.

Note that the previous year budgets do not include salary adjustments approved by Town Meeting and funded through the collective bargaining and reclassification articles in that

fiscal year.

Individual Sub-Budgets to be voted separately.
Finance Committee votes which were not
unanimous are notated (yes-no-abstain).

Vote Language:

That the appropriations listed in Appendix B
(attached) of the Report of the Finance
Committee to the Annual Town Meeting 2025
are approved.

Additional Materials:

Finance Committee Report

Appendix B



Town of Arlington, Massachusetts

Article 50

Warrant Article Title:

CAPITAL BUDGET

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended, or take any action related thereto.

Requested by:

Inserted by the Select Board and at the Request of the Town Manager and the Capital Planning Committee

Vote Language:

(1) That the sum of \$124,142.95 is hereby transferred from amounts previously appropriated

and borrowed under the following warrant articles and for the purposes set forth below:

Item	Amount to be Transferred	From <u>Original</u> Purpose	Meeting Date	Warrant Article
1.1	\$1,184.41	Munis Software	4/16/2016	36
1.2	\$19,669.55	Whittemore Park Upgrades	4/26/2021	56
1.3	\$1,657.99	Engine Pumper	4/25/2022	51
1.4	\$100,000.00	Peirce Additional Classrooms	4/25/2022	51
1.5	\$1,631.00	Rescue Ambulance	4/24/2023	38
	\$124,142.95	TOTAL		

which amounts are no longer needed to complete the projects for which they were initially borrowed, to pay costs of the following:

Item	Amount to be Paid	For <u>New</u> Purpose
1.6	\$124,142.95	Roof Top Units Schools
	\$124,142.95	TOTAL

as permitted by Chapter 44, Section 20 of the General Laws.

(2) That the sum of \$5,031,594 be and hereby is appropriated for various capital projects and equipment as shown below, and expended under the direction of the Town Manager:

Item	Amount	Project	Department
2.1	\$ 52,500	Firefighter Protective Gear	COMMUNITY SAFETY – FIRE
2.2	\$ 50,000	Jaws of Life – Extrication Equipment	COMMUNITY SAFETY – FIRE
2.3	\$ 175,000	Vehicle Replacement Program	COMMUNITY SAFETY – POLICE
2.4	\$ 25,000	Robbins Library Building Need Assessment	FACILITIES
2.5	\$ 70,000	Robbins Library Carpet Lower Floor	FACILITIES
2.6	\$ 15,000	Boards & Commissions Management Software	INFORMATION TECHNOLOGY

2.6	\$ 10,000	Boards & Commissions Management Software	TECHNOLOGY
2.7	\$ 124,800	APS Classroom Projectors	TECHNOLOGY
2.8	\$ 20,000	Conference Room Presentation Technology	TECHNOLOGY
2.9	\$ 110,000	Network Infrastructure	TECHNOLOGY
2.10	\$ 135,000	Ottoson 1:1 Academic Device Program	TECHNOLOGY
2.11	\$ 40,900	Paraprofessional Chromebooks	TECHNOLOGY
2.12	\$ 40,000	School – Admin Computers and Peripherals	TECHNOLOGY
2.13	\$ 275,000	School – Replacement Academic PC's District Wide	TECHNOLOGY
2.14	\$ 22,200	School EndPoint Detection and Response	TECHNOLOGY
2.15	\$ 65,000	Town Computer Refresh Program	TECHNOLOGY
2.16	\$ 140,000	Town Software Upgrades & Standardization	TECHNOLOGY
2.17	\$ 75,000	Budget Software	TECHNOLOGY
2.18	\$ 50,900	MLN Equipment Schedule	LIBRARY
2.19	\$ 58,000	Bike Lanes – Pleasant St., Summer St., Mill St. Design and Engineering Consultant – Traffic	PLANNING
2.20	\$ 35,000	Calming	PLANNING
2.21	\$ 10,000	Town/Public EV Charging Plan	PLANNING
2.22	\$ 25,000	Roadway Consulting Services	PUBLIC WORKS – ENGINEERING
2.23	\$ 226,282	Accessibility Improvements (Override 2019)	PUBLIC WORKS - HIGHWAY
2.24	\$ 205,000	Mobility Improvements (Override 2023)	PUBLIC WORKS - HIGHWAY
2.25	\$ 395,000	Roadway Reconstruction	PUBLIC WORKS - HIGHWAY
2.26	\$ 551,403	Roadway Reconstruction Override 2011	PUBLIC WORKS - HIGHWAY
2.27	\$ 18,000	Sander Body	PUBLIC WORKS - HIGHWAY
2.28	\$ 65,000	Sidewalk Ramp Installation	PUBLIC WORKS - HIGHWAY
2.29	\$ 580,000	Sidewalks and Curbstones	PUBLIC WORKS - HIGHWAY
2.30	\$ 60,000	Traffic Signal Upgrades	PUBLIC WORKS - HIGHWAY
2.31	\$ 76,700	Photocopier Replacement Program	PURCHASING
2.32	\$ 50,000	ADA Study Implementation Program	RECREATION
2.33	\$ 100,000	Arlington Field Master Plan	RECREATION
2.34	\$ 10,000	Feasibility Study	RECREATION
2.35	\$ 125,000	Playground Audit and Safety Improvements	RECREATION
2.36	\$ 104,000	All Schools – Boilers	SCHOOLS
2.37	\$ 155,000	All Schools – EMS Upgrade	SCHOOLS
2.38	\$ 75,909	All Schools – Energy Efficiency Projects	SCHOOLS
2.39	\$ 120,000	All Schools – Photocopier Lease Program	SCHOOLS
2.40	\$ 300,000	All Schools – RTU Upgrades	SCHOOLS
2.41	\$ 50,000	All Schools – Security Updates	SCHOOLS
2.42	\$ 75,000	Communication Upgrades	SCHOOLS
2.43	\$ 75,000	Geothermal Project	SCHOOLS
	\$ 5,031,594	Total Cash Expenditure	

(3) That the sum of \$20,125,234 be and hereby is appropriated for debt service of the Town, and expended under the direction of the Town Manager, \$19,550,560 of said sum to be raised by general tax and \$221,344 from the Antenna Fund, \$232,074 from capital carryforwards, \$65,000 from Recreation Enterprise Funds, and \$56,256 from Rink Enterprise Funds, for a total of \$574,674 to be raised by transfers and capital carry forwards:

General Fund Debt Service		
Total Non-Exempt Debt		\$ 7,417,567
Exempt Debt		\$ 12,707,667
Total Debt Service		
Appropriation		\$ 20,125,234
Less		
<i>Antenna Fund</i>	\$ (221,344)	
<i>Capital Carryforwards</i>	\$ (232,074)	
<i>Recreation Enterprise Funds</i>	\$ (65,000)	
<i>Rink Enterprise Funds</i>	\$ (56,256)	
<i>Total Other Financing Sources</i>		<u>\$ (574,674)</u>
NET General Fund Debt		
Service		\$ 19,016,618
Cash Capital		<u>\$ 5,031,594</u>
TOTAL NET Capital		
Appropriation		\$ 24,582,154

(4) That the various capital projects and equipment purchases shown below shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Manager.

Item	Amount	Project	Department
4.1	\$ 90,000	Medford Street Fence Repair	PUBLIC WORKS – CEMETERY
4.2	\$ 760,000	Chapter 90 Roadway	PUBLIC WORKS – HIGHWAY
4.3	\$ 113,000	Install Sidewalk Ramps – CDBG	PUBLIC WORKS – HIGHWAY
4.4	\$ 350,000	Drainage Rehab – Regulatory Compliance (Ch-308)	PUBLIC WORKS – WATER/SEWER
4.5	\$ 50,000	Hydrant and Valve Replacement	PUBLIC WORKS – WATER/SEWER
4.6	\$ 94,000	Pump Station Generator	PUBLIC WORKS – WATER/SEWER
4.7	\$ 900,000	Sewer System Rehabilitation	PUBLIC WORKS – WATER/SEWER
4.8	\$ 85,000	Utility Truck	PUBLIC WORKS – WATER/SEWER
4.9	\$ 1,500,000	Water System Rehabilitation	PUBLIC WORKS – WATER/SEWER
4.10	\$ 99,989	HEPA Filter Replacement for Air Purifiers	SCHOOLS
	\$ 4,041,989	Total Other Expenditure	

(5) That the sum of \$5,587,500 be and hereby is appropriated for extraordinary repairs to public facilities, acquisition of land and the purchase and installation of equipment and for costs incidental and related thereto as follows:

Item	Amount	Project	Department
5.1	\$ 120,000	TRX50 Alarm Receiving System and Antenna	COMMUNITY SAFETY – FIRE
5.2	\$ 90,000	Vehicle Replacement - #1018 2012 F250 M2	COMMUNITY SAFETY – FIRE
5.3	\$ 85,000	Central Station Exterior Waterproofing	FACILITIES
5.4	\$ 220,000	Elevator Replacement – Community Safety Building	FACILITIES
5.5	\$ 70,000	Vehicle Replacement	FACILITIES
5.6	\$ 200,000	Veterans Memorial Park	HEALTH & HUMAN SERVICES
5.7	\$ 470,000	APS Classroom Audio	INFORMATION TECHNOLOGY
5.8	\$ 70,000	Robbins Library Replacement Blinds	LIBRARY
5.9	\$ 100,000	Bikeway Improvements Ryder St. & Ed Burns Arena	PLANNING
5.10	\$ 279,000	Broadway Complete Streets Redesign	PLANNING
5.11	\$ 84,000	3/4 Ton Pickup	PUBLIC WORKS – HIGHWAY
5.12	\$ 275,000	44,000 GVW, 4WD Truck w- Sander	PUBLIC WORKS – HIGHWAY
5.13	\$ 90,500	1 Ton Pickup Truck w- Dump Body	PUBLIC WORKS – NATURAL RESOURCES
5.14	\$ 60,000	Log Skidder	PUBLIC WORKS – NATURAL RESOURCES
5.15	\$ 300,000	All Schools – Fire Alarm Upgrades	SCHOOLS
5.16	\$ 100,000	All Schools – Playground Renovation and Upgrades	SCHOOLS
5.17	\$ 100,000	Brackett – New Bell and Intercom System	SCHOOLS
5.18	\$ 2,200,000	Hardy School Envelope Repairs – Window, Masonry	SCHOOLS
5.19	\$ 200,000	School Elevator Upgrades	SCHOOLS
5.20	\$ 274,000	School Solar Array	SCHOOLS

5.21	\$ 200,000	Student Transportation Vehicle Replacement Program	SCHOOLS
	\$ 5,587,500	Total Bond Expenditure	

and that the Treasurer, with the approval of the Select Board, is hereby authorized to borrow not exceeding the sum of \$5,587,500 under and pursuant to M.G.L. Chapter 44 and any other enabling authority, and to issue bonds or notes of the Town therefor, said sum to be expended under the direction of the Town Manager.

(6) That the Town Manager is authorized and directed to apply for and accept any further federal, state or other grants that may be available for any one or more of the foregoing projects and equipment.

(7) Notwithstanding the foregoing, in the event that monies are not expended for the purposes delineated above, then the Comptroller is authorized and directed not to transfer these excess funds to available funds, but said funds shall remain and be accounted for in the warrant article pending further vote of the Town Meeting, except as otherwise provided by law, and,

(8) That any amounts appropriated under Sections (2 or 5) above for a particular purpose under any section of Chapter 44 and not needed for

under any section of Chapter 44 and not needed for such purpose may be expended by the Town Manager, with the approval of the Capital Planning Committee, for any other purpose listed in Sections (2 or 5) above under the same section of Chapter 44.

(9) That any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Additional Materials:
Capital Planning Committee Report



Town of Arlington, Massachusetts

Article 51

Warrant Article Title:

**RESCIND PRIOR BORROWING
AUTHORIZATIONS**

Warrant Article Text:

To see if the Town will vote to rescind the authority to borrow, from prior years authorizations, the amounts remaining with regard to any numbered prior Annual and/or Special Town Meeting Warrant Articles; or take any action related thereto.

Requested by:

Inserted at the request of the Town Treasurer

Report Excerpt:

VOTE: Unanimous

COMMENT: No prior borrowing authorization rescission is required at this time.

Vote Language:

That no action be taken under this article.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 52

Warrant Article Title:

**APPROPRIATION / TRANSPORTATION
INFRASTRUCTURE FUND**

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money received by the Town from the Commonwealth Transportation Infrastructure Fund to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town including, but not limited to, the Complete Streets Program, accepted by Town Meeting on May 4, 2015, established in Massachusetts General Laws Chapter 90I, Section 1 and other programs that support alternative modes of transportation; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Unanimous

COMMENT: The State assesses a tax on companies such as Uber and Lyft, and funnels a portion back to municipalities based on the number of rides originating in those cities and towns to support alternative modes of transportation. The Finance Committee supports the Town Manager's use of these funds from the State, in lieu of using general tax monies, to support the Town's Blue Bike program.

Vote Language:

That the Town appropriate the sum of \$31,395.80 received by the Town from the Commonwealth Transportation Infrastructure Fund to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town including, but not limited to, the Complete Streets Program, accepted by Town Meeting on May 4, 2015, established in Massachusetts General Laws Chapter 90I, Section 1 and other programs that support

alternative modes of transportation.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 53

Warrant Article Title:

**APPROPRIATION / FINANCING OF
CONSTRUCTION OR RECONSTRUCTION
OF SEWERS AND SEWERAGE FACILITIES**

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing all or some of same; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager and the Director of Public Works

Report Excerpt:

VOTE: Unanimous

COMMENT: This authorization allows the Town

to receive an interest free loan from the MWRA and issue municipal debt in support of capital construction projects. (Requires a 2/3 vote).

Vote Language:

That the sum of \$800,000 be and hereby is appropriated for the purpose of financing the construction or reconstruction of sewers and sewerage facilities, inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow \$800,000 under and pursuant to Chapter 44, Section 7, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefor; and that the Select Board and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may become available from the Massachusetts Water Resources Authority or other sources.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 54

Warrant Article Title:

**APPROPRIATION / FINANCING OF
CONSTRUCTION OR RECONSTRUCTION
OF WATER MAINS AND WATER FACILITIES**

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended, including the possibility of borrowing all or some of same; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager and the Director of Public Works

Report Excerpt:

VOTE: Unanimous

COMMENT: This authorization allows the Town to receive an interest free loan from the MWRA

and issue municipal debt in support of capital construction projects. (Requires a 2/3 vote).

Vote Language:

That the sum of \$1,400,000 be and hereby is appropriated for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow \$1,400,000 under and pursuant to Chapter 44, Section 8, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefor; and that the Select Board and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may become available from the Massachusetts Water Resources Authority or other sources.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 55

Warrant Article Title:

**APPROPRIATION / MINUTEMAN REGIONAL
VOCATIONAL TECHNICAL HIGH SCHOOL
AND OUT OF DISTRICT VOCATIONAL
PLACEMENTS**

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, tuition, and all of Arlington's other obligations under the Minuteman Regional School District Agreement for the Minuteman Regional Vocational Technical High School, as well as paying the tuition for all other out of district vocational education placements, determine how the money shall be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of Minuteman Regional Vocational School District Committee

Report Excerpt:

VOTE: Unanimous

Vote Language:

That the sum of \$8,443,856 be and hereby is appropriated for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School District Budget; said sum to be raised by general tax and expended under the direction of the Minuteman Regional Vocational High School Committee.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 56

Warrant Article Title:

APPROPRIATION / COMMITTEES AND COMMISSIONS

Warrant Article Text:

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at their direction, unless otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Beautification Committee, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic

District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Human Resources Board, Public Memorial Committee, Human Rights Commission, Arlington Committee on Tourism and Economic Development, Envision Arlington, Transportation Advisory Committee, Arlington Commission for Arts and Culture, Open Space Committee, and any other Town Committee or Commission; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Unanimous

Comment:

D. Commission on Disability: Under state law, the Town is authorized to allocate to the Disability Commission all fines collected by the Town for Handicap Parking violations. Since FY2020, the Town has appropriated an amount at least equal to the fines collected by the Town

for Handicap Parking violations. This appropriation is in lieu of the Town allocating such fines directly to the Disability Commission as it is authorized to do pursuant to MGL c. 40, Sec. 22G. The Disability Commission has used the majority of its appropriations since FY2020 on repairs to Town Hall to improve accessibility, software to improve the accessibility of the Town website, and for ADA and MCAD training for Town staff. The Finance Committee has offered to provide a liaison to the Disability Commission to assist with planning, and any budgeting issues and/or questions related to potential expenses under the Town's 2020 ADA Transition Plan.

N. Arlington Commission on Arts and Culture: This appropriation will also fund Public Arts, Poet Laureate and Arlington Alive activities at the discretion and under the supervision of the Arlington Commission on Arts and Culture. The Commission will also be raising additional funds from their various activities).

Vote Language:

That the sum of \$100,175 be and hereby is appropriated to be expended by the following

commissions, committees, and boards in the amounts indicated:

- A. Arlington Historical Commission – \$8,700
- B. Historic Districts Commission – \$8,000
(Avon Place Historic District Commission,
Broadway Historic District Commission, Central
Street Historic District Commission,
Jason/Gray Historic District Commission,
Russell Historic District Commission, Pleasant
Street Historic District Commission and Mount
Gilboa/Crescent Hill Historic District
Commission)
- C. Capital Planning Committee – \$0
- D. Commission on Disability – \$20,000
- E. Zero Waste Committee – \$3,000
- F. Human Rights Commission – \$8,000
- G. Arlington Tourism and Economic
Development Committee - \$4,275
- H. Envision Arlington - \$1,500
- I. Transportation Advisory Committee - \$2,000
- J. Scenic By-Way - \$2,000
- K. Open Space Committee - \$1,000 (16-0-1)
- L. LGBTQIA + Rainbow Commission - \$4,000
- M. Civilian Police Advisory Commission -
\$2,700 (16-3-0)

N. Arlington Commission on Arts and Culture - \$35,000

Said sums to be raised by general tax and expended under the direction of the various commissions, committees, and boards. All consultant services shall be supervised under the direction of the Town Manager.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 57

Warrant Article Title:

**APPROPRIATION / TOWN CELEBRATIONS
AND EVENTS**

Warrant Article Text:

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised and expended; or take any action related thereto:

Memorial Day Observation and the Patriots'
Day Celebration
Display of American Flags on Massachusetts
Avenue
Placing of American Flags on the Graves of
Veterans
Town Day Celebration
Veterans' Day Parade
250th Anniversary Celebration

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

Vote: Unanimous

Vote Language:

That the sum of \$16,500 be and hereby is appropriated for the following celebrations and memorials in the amounts indicated:

- A. Patriots' Day, Veteran's Day, Memorial Day and Independence Day Observation - \$7,000
- B. Display of American Flags on Massachusetts Avenue - \$0
- C. Placing of American Flags on the Graves of Veterans - \$4,500
- D. Town Day Celebration - \$5,000
- E. 250th Anniversary Celebration - \$0

Said sums to be raised by general tax and expended under the direction of the Town Manager.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 58

Warrant Article Title:

APPROPRIATION / MISCELLANEOUS

Warrant Article Text:

To see if the Town will vote the following: Legal Defense – To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title 1 of the Town Bylaws, Indemnification of Medical Costs, to appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred, determine how the money will be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: 17-0-2

COMMENT: This Article comes before Town

Meeting each year. No money is being sought to replenish the Legal Defense Fund. Like prior years, the Town is indemnifying certain medical costs incurred by our police officers and firefighters who have retired with a disability.

Vote Language:

The sum of \$10,815.17 be and hereby is appropriated for the following purposes:

A. Legal Defense - To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13 of Title I of the Town By-Laws - \$0

B. Indemnification of Medical Costs – \$10,815.17

(To indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred during the previous calendar year that are the proximate result of the disability for which they were retired; and to defray the expenses of the Medical Panel required by law; provided, incurred expenses shall be considered for indemnification thereunder except only those such as are excess over covered benefits of any

plan of Hospital, Surgical or other coverage which the retiree has or had available to him, either directly or through a member of his immediate family, which benefits shall be considered primary, and which must be disclosed by such plan, or by the physician, hospital or other medical personnel or facility with or without the consent of the retiree.)

Said sums to be raised by general tax and expended under the direction of the Town Manager.

Additional Materials:
Finance Committee Report



Town of Arlington, Massachusetts

Article 59

Warrant Article Title:

APPROPRIATION / WATER BODIES FUND

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money to the Town's Water Bodies Fund for the maintenance, treatment, and oversight of all the Town's water bodies, said sum to be raised by the general tax and expended under the direction of the Town Manager, who will also report to Town Meeting on the status of the fund; or take any action related thereto.

Requested by:

Inserted at the request of the Envision Arlington Standing Committee and its Spy Pond and Reservoir Task Groups, and the Arlington Conservation Commission

Report Excerpt:

VOTE: Unanimous

COMMENT: The Water Bodies Fund, established by special legislation in 2008, is used for periodic testing, treatment,

maintenance and oversight of the town's water bodies. The fund receives private donations as well as public appropriations.

Vote Language:

That the sum of \$85,000 be and hereby is appropriated to the Water Bodies Fund for the purpose of testing, maintaining, treating and oversight of the Town's water bodies. Said sum to be raised by the general taxes and expended under the direction of the Town Manager.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 60

Warrant Article Title:

APPROPRIATION / COMMUNITY PRESERVATION FUND

Warrant Article Text:

To see if the Town will vote to make appropriations from the Community Preservation Fund for eligible community preservation projects; for community preservation reserve accounts for historic preservation, open space and recreation, and affordable housing; for Community Preservation Act Committee administrative expenses or other eligible expenses; or take any action related thereto.

Requested by:

Inserted at the request of the Community Preservation Committee

Report Excerpt:

CPA Committee Vote: Unanimous

CPA Committee Comment: Recommended votes on this article are divided into three sections: (a) votes to transfer funds to

temporary dedicated reserves, as explained in the vote comment; (b) votes on the thirteen CPA projects, and (c) a vote on administrative expenses. The moderator generally elects to address all of the sections in a single vote. Unless otherwise indicated in the report, the CPAC's votes on recommendations were unanimous.

Part 1: These transfers, taken immediately prior to the CPA project appropriation votes that follow, ensure that the Town complies with the state legal requirement to either appropriate or reserve at least 10% of estimated annual CPA revenues (est. \$2,387,107) in each of the three CPA project areas.

Although these transferred funds are immediately recommended for appropriation in their entirety in the next vote, this action ensures that the Town maintains compliance should Town Meeting reduce or reject the recommended appropriations or does not become retroactively out of compliance with state law should any approved project not proceed as planned. (In such an event, the

reserved funds would remain in or be returned to the dedicated account for future appropriation in that CPA project area.)

Part 2: The CPAC recommends the listed CPA projects to Town Meeting for FY2026 funding, having carefully vetted each application for compliance with the CPA law, feasibility, importance, cost justification, sustainability and other criteria.

Part 3: These expenses are explained on page 9 of the Community Preservation Act Committee Report.

Finance Committee Vote: 16-0-2

Finance Committee Comment: The Finance Committee endorses the projects recommended by the Community Preservation Committee.

Vote Language:

(1) That the Town take the following actions regarding dedicated CPA project area reserves:

a) Transfer the sum of \$238,711 from FY2026 Community Preservation Fund revenues to a

CPA Open Space and Recreation Reserve account, for later Town Meeting appropriation for open space and recreational land purposes; and

b) Transfer the sum of \$238,711 from FY2026 Community Preservation Fund revenues to a CPA Historic Preservation Reserve account for later Town Meeting appropriation for historic preservation purposes; and

c) Transfer the sum of \$238,711 from FY2026 Community Preservation Fund revenues to a CPA Community Housing Reserve account for later Town Meeting appropriation for community housing purposes.

(2) That the Town take the following actions to appropriate funds for FY2026 CPA projects, with each project considered a separate appropriation:

a) Appropriate the sum of \$275,132 from the Community Preservation Fund revenues for the Winslow Tower Fire Alarm Upgrade project for the preservation of community housing, subject to the condition that a grant agreement between the Arlington Housing Authority and the Town be executed, said funds to be expended under

the direction of the Arlington Housing Authority and the Community Preservation Act Committee;

b) Appropriate the sum of \$545,125.50 from the Community Preservation Fund revenues for the Affordable Housing Trust Fund project for the creation of community housing, with \$238,711 being appropriated from the Community Housing Reserve Account and \$306,414.50 being appropriated from Community Preservation Fund revenues, subject to the condition that a grant agreement between the Housing Corporation of Arlington and the Town be executed, said funds to be expended under the direction of the Housing Corporation of Arlington and the Community Preservation Act Committee;

c) Appropriate the sum of \$50,000 from the Community Preservation Fund revenues for the Public Lands Tree Survey project for the preservation of open space, said funds to be expended under the direction of the Department of Planning and Community Development and the Community Preservation Act Committee;

d) Appropriate the sum of \$75,000 from the Community Preservation Fund revenues for the

Urban Wilds Initiative project for the preservation of open space, said funds to be expended under the direction of the Department of Planning and Community Development and the Community Preservation Act Committee;

e) Appropriate the sum of \$250,000 from the Community Preservation Fund revenues for the McClennen Park Community Garden project for the creation of open space, said funds to be expended under the direction of the Recreation Department / Arlington Park and Recreation Commission and the Community Preservation Act Committee;

f) Appropriate the sum of \$545,125.50 from Community Preservation Fund revenues for the McClennen Skate Park project for the restoration and rehabilitation of recreational land, with \$238,711 being appropriated from the Open Space and Recreation Reserve Account and \$306,414.50 being appropriated from Community Preservation Fund revenues, said funds to be expended under the direction of the Recreation Department / Arlington Park and Recreation Commission and the Community Preservation Act Committee;

g) Appropriate the sum of \$75,972 from

Community Preservation Fund revenues for the Archives Preservation – Digitizing and Rehousing project for the preservation of historic resources, subject to the condition that a grant agreement between the Cyrus Dallin Art Museum and the Town be executed, said funds to be expended under the direction of the Cyrus Dallin Art Museum and the Community Preservation Act Committee;

h) Appropriate the sum of \$25,000 from Community Preservation Fund revenues for the Arlington Veterans Oral History Project for the preservation of historic resources, said funds to be expended under the direction of the Veterans Services Department and the Community Preservation Act Committee;

i) Appropriate the sum of \$4,500 from Community Preservation Fund revenues for the Jason Russell House Chimney Capping project for the preservation of historic resources, subject to the condition that a grant agreement between the Arlington Historical Society and the Town be executed, said funds to be expended under the direction of the Arlington Historical Society and the Community Preservation Act Committee;

j) Appropriate the sum of \$500,000 from Community Preservation Fund revenues for the Parmenter Exterior Preservation project for the preservation of historic resources, with \$238,711 being appropriated from the Historic Preservation Reserve Account and \$261,289 being appropriated from Community Preservation Fund revenues, said funds to be expended under the direction of the Town of Arlington and the Community Preservation Act Committee;

k) Appropriate the sum of \$300,000 from Community Preservation Fund revenues for the Town Hall Building Envelope project for the preservation of historic resources, said funds to be expended under the direction of the Town of Arlington and the Community Preservation Act Committee;

(3) That the Town take the following action regarding administrative expenses:

Appropriate \$72,000 from FY2026 Community Preservation Fund revenues to the CPA Administrative Expenses account for eligible

FY2026 administrative expenses, such funds to be expended under the direction of the Community Preservation Act Committee.

Additional Materials:

Community Preservation Act Committee Report

Finance Committee Report



Town of Arlington, Massachusetts

Article 61

Warrant Article Title:

APPROPRIATION / HARRY BARBER COMMUNITY SERVICE PROGRAM

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money for the Harry Barber Community Service Program for the Council on Aging, to determine how the money will be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of the Council on Aging

Report Excerpt:

VOTE: Unanimous

COMMENT: This program affords the opportunity for senior citizens to provide service in various Town departments in exchange for payment, which they can use to help with taxes and rent.

Vote Language:

That the sum of \$7,500 be and hereby is appropriated for the purpose of conducting the

Harry Barber Community Service Program;
said sum to be raised by the general tax and
expended under the direction of the Town
Manager.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 62

Warrant Article Title:

APPROPRIATION / PENSION ADJUSTMENT FOR FORMER TWENTY-FIVE YEAR/ ACCIDENTAL DISABILITY EMPLOYEES

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote upon their retirement; this adjustment to be paid to those who qualify and administered in

accordance with prior practice and understanding relating to the retirement allowance of said retirees; determine how the money shall be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of the Contributory Retirement Board

Report Excerpt:

VOTE: 16-0-2

COMMENT: This vote, which is required annually, allows the Retirement Board to ensure that retired employees will not drop below 50% of the current salary of the position they held as an active Town employee. An amount of \$0 is voted so that funds may be expended under this article from other available sources without further appropriation.

Vote Language:

That the sum of \$0 be and hereby is appropriated to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the

Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote, upon their retirement. This adjustment to be paid to those who qualify and administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; said sum to be expended under the direction of the Retirement Board.

Additional Materials:
Finance Committee Report



Town of Arlington, Massachusetts

Article 63

Warrant Article Title:

APPROPRIATION / PRIVATE WAY REPAIRS
REVOLVING FUND

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money into the Private Ways Repairs Revolving Fund; determine how much should be appropriated into such revolving fund; or take any action related thereto.

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Unanimous

COMMENT: This sum is to be used to help replenish the Private Ways Repairs Revolving Fund. Reimbursements from abutters for work performed by the Town go directly to the General Fund.

Vote Language:

That the sum of \$100,000 be and hereby is appropriated to the Private Ways Repairs

Revolving Fund.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 64

Warrant Article Title:

APPROPRIATION / ARLINGTON
COMMUNITY MEDIA

Warrant Article Text:

To see if the Town will vote to make an appropriation for a sum or sums of money for the purpose of a direct financial payment to Arlington Community Media, Inc., with any necessary contract, for its educational and/or governmental access cable television services, said sum or sums to be in addition to the sums provided for by the cable franchise agreements and cable licensing fees, and determine how the money shall be raided [sic] and expended, including the possibility of borrowing all or some of same; or take any action related thereto.

Requested by:

Inserted at the request of Nancy Flynn-Barvick and ten registered voters

Report Excerpt:

VOTE: 13-5-1

COMMENT: Arlington Community Media, Inc. (“ACMi”) receives 5% of the revenue derived from cable subscriptions as its major funding source. With residents flocking to streaming services and canceling cable subscriptions, it has been evident for several years now that this traditional funding model for ACMi, and all community access network companies, is insufficient to meet its expenses. ACMi has yet to be agile enough to pivot to other revenue sources. A majority of Finance Committee members believes that the educational and governmental access services that ACMi provides is sufficiently valuable to our community and our town democracy to warrant a one-time appropriation to aid it in its transition to a more sustainable financial model. ACMi should not expect to receive additional monies from the general fund in the future.

Vote Language:

That the sum of \$100,000 be and hereby is appropriated to Arlington Community Media, Inc., to be expended solely for the purpose of providing educational and governmental services to the Town of Arlington. Said sum

shall be raised by general tax and expended as directed by the Town Manager.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 65

Warrant Article Title:

APPROPRIATION / IDENTIFICATION OF HISTORIC RAILROAD TRACKS

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money for the purpose of designing, making, and installing suitable signage for the short section of the Lexington and West Cambridge railroad tracks in front of the Jefferson Cutter House in Arlington Center. Said project to be under the direction of the Arlington Historical Commission; or take any action related thereto.

Requested by:

Inserted at the request of John Worden III and ten registered voters

Report Excerpt:

VOTE: Unanimous

COMMENT: This project will be funded through the Parking Benefits District Fund, under the direction of the Town Manger.

Vote Language:

That no action be taken under this Article.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 66

Warrant Article Title:

APPROPRIATION / MASTER PLAN UPDATE

Warrant Article Text:

To see if the Town will vote to appropriate \$50,000 to update the Master Plan as endorsed by Town Meeting on May 11, 2015; or take any action related thereto.

Requested by:

Inserted at the request of the Director of Planning and Community Development

Report Excerpt:

VOTE: Unanimous

COMMENT: An appropriation from the general fund is not needed at this time.

Vote Language:

That no action be taken under this Article.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 67

Warrant Article Title:

LOCAL OPTION TAXES

Warrant Article Text:

To see if the Town will vote to accept any local option taxes or other revenue raising options, which are made available to cities and towns through enactments of the legislature, by state regulation or court action; or take any action related thereto.

Requested by:

Inserted at the request of the Finance Committee

Report Excerpt:

VOTE: Unanimous

COMMENT: There are no such options available at this time.

Vote Language:

That no action be taken under this Article.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 68

Warrant Article Title:

**APPROPRIATION / OTHER POST
EMPLOYMENT BENEFITS (OPEB) TRUST
FUND**

Warrant Article Text:

To see if the Town will vote to accept into the Other Post Employment Benefits (OPEB) Trust Fund, established by Chapter 161 of the Acts of 2005, an appropriation of funds and/or the transfer of additional monies that the Town may deem advisable from other sources in order to administer and fund its OPEB obligations and administrative costs as described in said Chapter 161 of the Acts of 2005; determine how the monies shall be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of the Finance
Committee

Report Excerpt:

VOTE: 16-0-2

COMMENT: These recommendations continue the program to fund the Town's unfunded liability for retiree health insurance. It has been a long-standing practice of Town Meeting to appropriate no less than \$655,000 to OPEB each year. In connection with the November 2023

Vote Language:

That the Town takes the following actions:

a. appropriate into said Other Post-Employment Benefits (OPEB) Trust Fund, authorized by Chapter 161 of the Acts of 2005, for investment and expenses the sum of \$500,000 representing that amount of money that was previously appropriated for the Non-Contributory Pension when this funding program started; said sum to be raised by the general tax.

b. appropriate into said fund the sum of \$155,000 representing the increased share of retiree HMO contributions as voted by the Select Board on November 6, 2006; said sum to be raised by the general tax.

c. appropriate into said fund the sum of \$150,000 from monies raised by the November 2023 override vote and thus raised by the general tax.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 69

Warrant Article Title:

TRANSFER OF FUNDS / CEMETERY

Warrant Article Text:

To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves" and/or "Perpetual Care Funds"; or take any action related thereto.

Requested by:

Inserted at the request of the Finance Committee

Report Excerpt:

VOTE: Unanimous

Vote Language:

That the Town transfers \$240,000 to the Cemetery Commissioners for the care of Town cemeteries, and \$90,000 to the Capital Budget for headstone maintenance and repair, said sums to be taken from the Perpetual Care Fund.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 70

Warrant Article Title:

APPROPRIATION / OVERLAY RESERVE

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made; or take any action related thereto.

Requested by:

Inserted at the request of the Finance Committee

Report Excerpt:

VOTE: Unanimous

COMMENT: Each year, monies are set aside to cover tax abatements and exemptions. Unused accumulated “overlay” amounts are held in reserve until the Assessors determine that they are no longer needed, at which point the Assessors release funds, which can be used for other Town purposes.

Vote Language:

That the sum of \$750,000 be and hereby is appropriated, to be transferred from Overlay Reserve Surplus Accounts of previous fiscal years, said sum to be utilized to reduce the tax rate.

Additional Materials:
Finance Committee Report



Town of Arlington, Massachusetts

Article 71

Warrant Article Title:

APPROPRIATION / LONG TERM
STABILIZATION FUND

Warrant Article Text:

To see if the Town will make an appropriation to the Long-Term Stabilization Fund in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of the Finance
Committee

Report Excerpt:

VOTE: Unanimous

COMMENT: The Finance Committee strongly recommends that Town Meeting continue its long-standing practice of appropriating this amount each year into the Long-Term

Stabilization Fund into order to protect the financial position of the Town and to reinforce the Town's strong bond rating.

Vote Language:

That the sum of \$100,000 be and hereby is appropriated to the Long-Term Stabilization Fund, said sum to be raised by general tax.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 72

Warrant Article Title:

USE OF FREE CASH

Warrant Article Text:

To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2024; or take any action related thereto.

Requested by:

Inserted at the request of the Finance Committee

Report Excerpt:

VOTE: Unanimous

COMMENT: "Free Cash" or "Unencumbered Funds" is that surplus amount left after the close of a fiscal year. Once the funds are

certified by the State Bureau of Accounts, they can be used for another fiscal year budget. It is the long-standing practice of the Town to use 50% of the available “free cash” in the next year after certification. This vote accomplishes that.

Vote Language:

That the sum of \$10,298,997 be taken from available funds in the treasury, and that the Board of Assessors is instructed to use said amount to reduce the tax rate.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 73

Warrant Article Title:

**APPROPRIATION / FISCAL STABILITY
STABILIZATION FUND**

Warrant Article Text:

To see if the Town will make an appropriation to or from the Fiscal Stability Stabilization Fund created under Article 65 of the 2005 Annual Town Meeting or any other enabling action of Town Meeting in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

Requested by:

Inserted at the request of the Finance
Committee

Report Excerpt:

VOTE: Unanimous

COMMENT: This fund was created to hold money raised from successful override votes.

Money accumulated in this fund is drawn down each year by way of two-thirds vote of Town Meeting to help fund the next fiscal year budget. The amount appropriated out of this fund by this vote is what is necessary to balance the FY2026 budget. (Requires 2/3 Vote)

Vote Language:

That the sum of \$9,080,811 be and hereby is appropriated from the Fiscal Stability Stabilization Fund, and that the Board of Assessors is instructed to use said amount in the determination of the tax rate.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 74

Warrant Article Title:

COLLECTIVE BARGAINING

Warrant Article Text:

To see if the Town will vote to fund any fiscal items in the event that any are contained in collective bargaining agreements between the Town and the following named collective bargaining units, and to fund for non-union, M Schedule, and elected officials' salaries or fringe benefits, determine how the money shall be raised and expended; or take any action related thereto:

- A. Service Employees International Union;
- B. American Federation of State, County and Municipal Employees;
- C. Robbins Library Professional Association;
- D. Arlington Police Patrol Officers' Association;
- E. Arlington Ranking Officers' Association;
- F. Arlington International Association of Firefighters; and

G. Management and Non-Union Employees

H. Full-time elected officials

Requested by:

Inserted at the request of the Town Manager

Report Excerpt:

VOTE: Unanimous

COMMENT: At this time, no agreements have been reached. However, in anticipation of future agreements being settled requiring funding, the Finance Committee recommends an appropriation of \$431,095 to the Salary Reserve account.

Vote Language:

That the sum of \$431,095 is hereby appropriated, to be set aside for funding future collective bargaining agreements, said sum to be raised by general taxes and said sum shall not be expended without a future vote of Town Meeting.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 75

Warrant Article Title:

ACCEPTANCE OF LEGISLATION /
INCREASE OF COLA BASE

Warrant Article Text:

To see if the Town will vote to give the Contributory Retirement Board authority to increase the maximum base on which the cost - of - living increase is calculated for retirees of the Arlington Retirement System from \$15,000 to \$16,000; in accordance with Section 103(j) of Chapter 32 of the Massachusetts General Laws.

Requested by:

Inserted at the request of the Contributory Retirement Board

Report Excerpt:

VOTE: 14-1-2

COMMENT: With a projected large deficit and override vote looming on the horizon, the Finance Committee believes that this is an ill-

advised time for the Town to now adopt this existing state legislation which, while affording the average retiree a very modest benefit, will collectively cost the Town the equivalent of approximately \$4 million in present dollars, causing the Town to extend even further its pension funding liability.

Vote Language:

That no action be taken under this Article.

Additional Materials:

Finance Committee Report



Town of Arlington, Massachusetts

Article 76

Warrant Article Title:

RESOLUTION / DEVELOPMENT OF FOX BRANCH LIBRARY

Warrant Article Text:

To see if the Town will vote to adopt a resolution affirming a commitment to investigate opportunities to redevelop the Fox Branch Library; or take any action related thereto.

Requested by:

Inserted at the request of the Library Director

Report Excerpt:

There is no report on resolutions.



Town of Arlington, Massachusetts

Article 77

Warrant Article Title:

RESOLUTION / BANNING BROKER FEES

Warrant Article Text:

To see if the Town will vote to ban broker fees;
or take any action related thereto.

Requested by:

Inserted at the request of Guillermo Hamlin and
ten registered voters

Report Excerpt:

There is no report on resolutions.



Town of Arlington, Massachusetts

Article 78

Warrant Article Title:

RESOLUTION / BANNING HOME EQUITY THEFT

Warrant Article Text:

To see if the Town will vote to accept and customize recent state action in banning home equity theft; or take any action related thereto.

Requested by:

Inserted at the request of Guillermo Hamlin and ten registered voters

Report Excerpt:

There is no report on resolutions.



Town of Arlington, Massachusetts

Article 79

Warrant Article Title:

RESOLUTION / ZERO WASTE PLAN

Warrant Article Text:

To see if the Town will vote to resolve to support the development of a Zero Waste Plan for the Town of Arlington; or take any action related thereto.

Requested by:

Inserted at the request of the Zero Waste Arlington Committee

Report Excerpt:

There is no report on resolutions.